NEGATIVE DECLARATION

CALIFORNIA STATE LANDS COMMISSION PROPOSED SALE OF SCHOOL LANDS IN IMPERIAL COUNTY

December 2015

Lead Agency:
California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento, CA 95825

Applicants:
Salvation Mountain Inc.
P.O. Box 1577
Calipatria, CA 92262

Chasterus Foundation
336 N. St. Louis St.
Los Angeles, CA 90033

TABLE OF CONTENTS

APPENDICES

LIST OF FIGURES

LIST OF TABLES

LIST OF ABBREVIATIONS AND ACRONYMS

A	AB	Assembly Bill
	amsl	Above Mean Seal Level
	APN	Assessor's Parcel Number
	APCO	Air Pollution Control Officer
	ARMR	Archaeological Resource Management Reports
	asl	Above Sea Level
B	BCC	Bird of Conservation Concern
	BMP	Best Management Practice
	BTB	Bank to Bank
C	Cal/EPA	California Environmental Protection Agency
	Cal/OSHA	California Division of Occupational Safety and Health
	CalSTRS	California State Teachers Retirement System
	Caltrans	California Department of Transportation
	CARB	California Air Resources Board
	CDFW	California Department of Fish and Wildlife
	CEQA	California Environmental Quality Act
	CESA	California Endangered Species Act
	CFR	Code of Federal Regulations
	CGS	California Geological Survey
	CHRIS	California Historical Resources Information System
	CIWMB	California Integrated Waste Management Board
	cm	centimeters
	CNDDB	California Natural Diversity Database
	CNEL	Community Noise Equivalent Level
	CNPS	California Native Plant Society
	CO	carbon monoxide
	CO_2	carbon dioxide
	CO_2e	carbon dioxide equivalents
	CRHR	California Register of Historic Resources
	CRPR	California Rare Plant Rank
	CSFM	California State Fire Marshal
	CSLC	California State Lands Commission
	CWA	Clean Water Act
D	dBA	A-weighted decibels
	DDT	dichlorodiphenyltrichloroethane
	DOT	U.S. Department of Transportation
	DPR	Department of Parks and Recreation
	DTSC	Department of Toxic Substances Control

E	EIR	Environmental Impact Report
	EO	Executive Order
	EOP	Emergency Operations Plan
	ESA	Endangered Species Act
F	F	Fahrenheit
	FC	Federal Candidate
	FCAA	Federal Clean Air Act
	FE	Federally Endangered
	FERC	Federal Energy Regulatory Commission
	FESA	Federal Endangered Species Act
	FP	Fully Protected
	FPP	Fire Prevention Plan
	FT	Federally Threatened
	FUDS	Formerly Used Defense Sites
G	GHG	Greenhouse Gas
	GPS	Global Position System
H	H	High Priority
	HMMP	Hazardous Material Management Plan
	HMTA	Hazardous Materials Transportation Act
I	ICAPCD	Imperial County Air Pollution Control District
	ICDPW	Imperial County Department of Public Works
	ICGP	Imperial County General Plan
	IS	Initial Study
L	L_{dn}	day-night average sound level
	LOS	Level of Service
M	MBTA	Migratory Bird Treaty Act
	MMT	Million Metric Tons
	mph	miles per hour
	MPO	Metropolitan Planning Organizations
	MRZ	Mineral Resources Zone
N	NAAQS	National Ambient Air Quality Standards
	NAHC	Native American Heritage Commission
	NCP	National Oil and Hazardous Substances Pollution Contingency Plan
	ND	Negative Declaration
	NEPA	National Environmental Protection Act
	NIMS	National Incident Management System
	NMFS	National Marine Fisheries Service
	NO_2	nitrogen dioxide

	NO_x	nitrogen oxides
	NPDES	National Pollutant Discharge Elimination System
	NRHP	National Register of Historic Places
O	O_3	ozone
	OES	Office of Emergency Services
	OHP	Office of Historical Preservation
	OHV	Off-Highway Vehicle
	OHWM	Ordinary High Water Mark
	OSHA	Occupational Safety and Health Administration
P	Pb	lead
	PCBs	polychlorinated biphenyls
	PM	particulate matter
	PM_{10}	particulate matter less than 10 micrometers
	$PM_{2.5}$	particulate matter less than 2.5 micrometers
R	RCRA	Resource Conservation and Recovery Act
	ROG	reactive organic gases
	RV	Recreation Vehicle
	RWQCB	Regional Water Quality Control Board
S	SARA	Superfund Amendments and Reauthorization Act
	SB	Senate Bill
	SC	State Candidate
	SCIC	South Coastal Information Center
	SDNHM	San Diego Natural History Museum
	SE	State Endangered
	SEMS	Standardized Emergency Management System
	SLBF	School Land Bank Fund
	SWS	Solid Waste Site
	SMARA	Surface Mining and Reclamation Act
	SO_2	sulfur dioxide
	SSC	Species of Special Concern
	ST	State Threatened
	SVP	Society of Vertebrate Paleontology
	SWRCB	State Water Resources Control Board
T	TMDCI	Torres Martinez Desert Cahuilla Indians
	TSCA	Toxic Substances Control Act
U	UCMP	University of California Museum of Paleontology
	UPRR	Union Pacific Railroad
	U.S.	United States
	USACE	U.S. Army Corps of Engineers

	USEPA	U.S. Environmental Protection Agency
	USFWS	U.S. Fish and Wildlife Service
	USGS	U.S. Geological Survey
	USMC	U.S. Marine Corps
	UXO	Unexploded Ordinance
W	WBWG	Western Bat Working Group

EXECUTIVE SUMMARY

This Negative Declaration (ND) has been prepared by the California State Lands Commission (CSLC), as lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), to analyze and disclose the environmental effects associated with the CSLC Proposed Sale of School Lands in Imperial County (Project). The Project would authorize the CSLC to sell two parcels within a 640-acre parcel of School Lands (Section 36 of Township 10 South, Range 14 East, San Bernardino Meridian)* located in the central basin of the Colorado Desert, 2 miles east-northeast of Niland, Imperial County. Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley. The parcel is accessed via Beal Road, which heads east from Niland's Main Street and traverses the property in a southwest-northeast direction. The Project area is located on the U.S. Geological Survey 7.5' Iris Wash and Iris quadrangle maps (Figure ES-1).

The CSLC prepared an ND because, while the Initial Study identified a potentially significant impact related to the Project, after analysis of all the facts and circumstances, CSLC staff believes the Project would have a less than significant impact on the environment.

PROPOSED PROJECT

The CSLC proposes to partition a 640-acre School Lands parcel (Assessor's Parcel Number 003-240-005) to facilitate the sale of three smaller parcels, referred to as the "Slab City," "Salvation Mountain," and "East Jesus" parcels. The CSLC currently has applications to purchase all three parcels. Table ES-1 provides information on each parcel (see also Figure ES-2).

Table ES-1. Proposed Parcels within 640-Acre School Lands Parcel

Parcel Name	Reference #	Size	Prospective Buyer
Slab City	SA 5768	450 acres	Slab City Community Group
Salvation Mountain	SA 5769	160 acres	Salvation Mountain Inc.
East Jesus	SA 5771	30 acres	Chasterus Foundation

* School Lands were granted to the State of California by the federal government under the Act of March 3, 1853 (10 Stat. 244) for the purpose of supporting public education in California, and consisted of the 16th and 36th sections of land in each township (with the exceptions of lands reserved for public use, lands taken by private land claims, and lands known to be mineral in character). Title to the lands vested in the State upon approval of the U.S. Township Survey Plats (subject to the exceptions described above). School lands were placed into a statutory trust in 1984 when the State Legislature approved the School Land Bank Act (Act), created the School Land Bank Fund (SLBF), and designated the CSLC as trustee of the SLBF. The Act directs that school lands be proactively managed and enhanced to provide for an economic base in support of the public school system.

Figure ES-1. Project Site Location

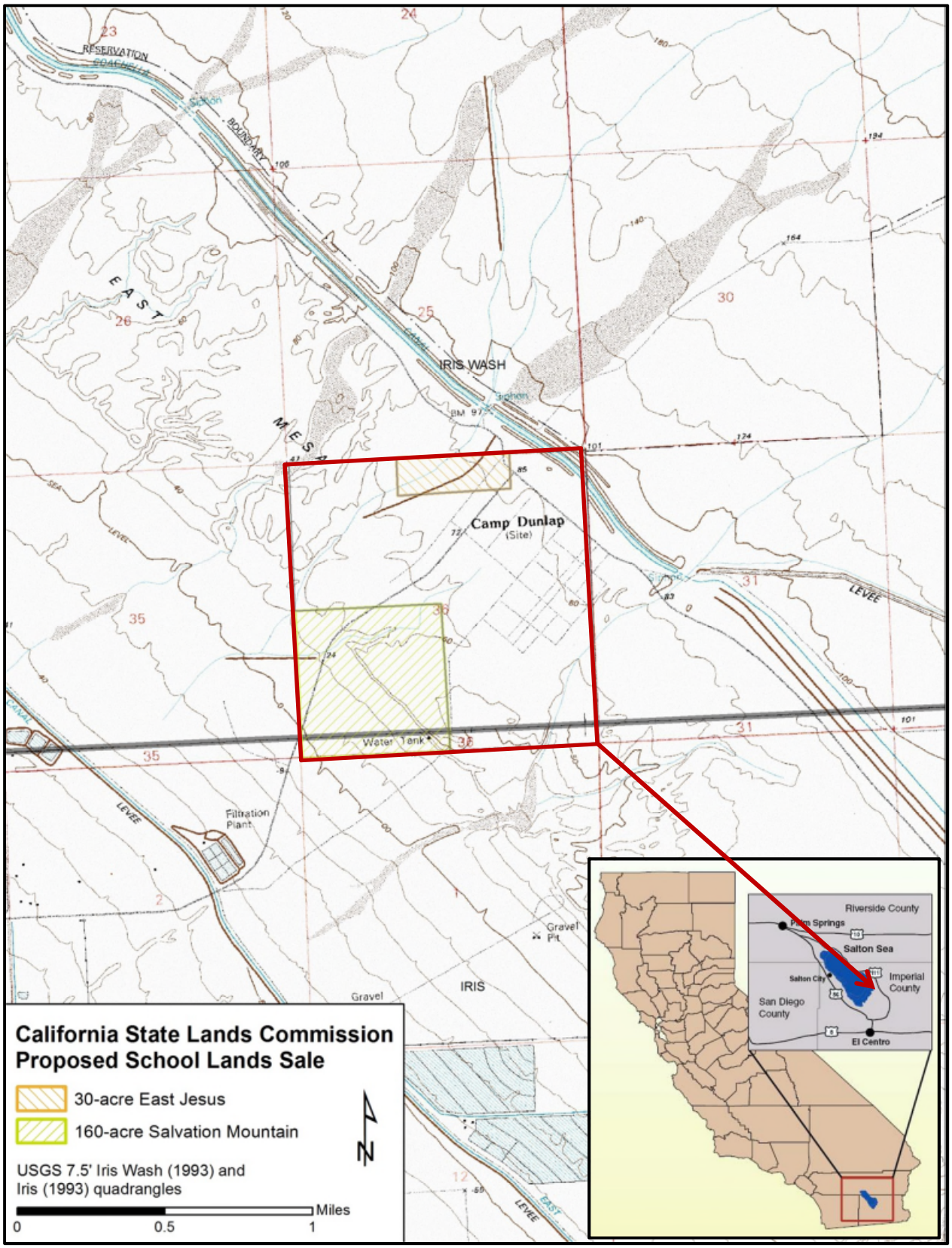
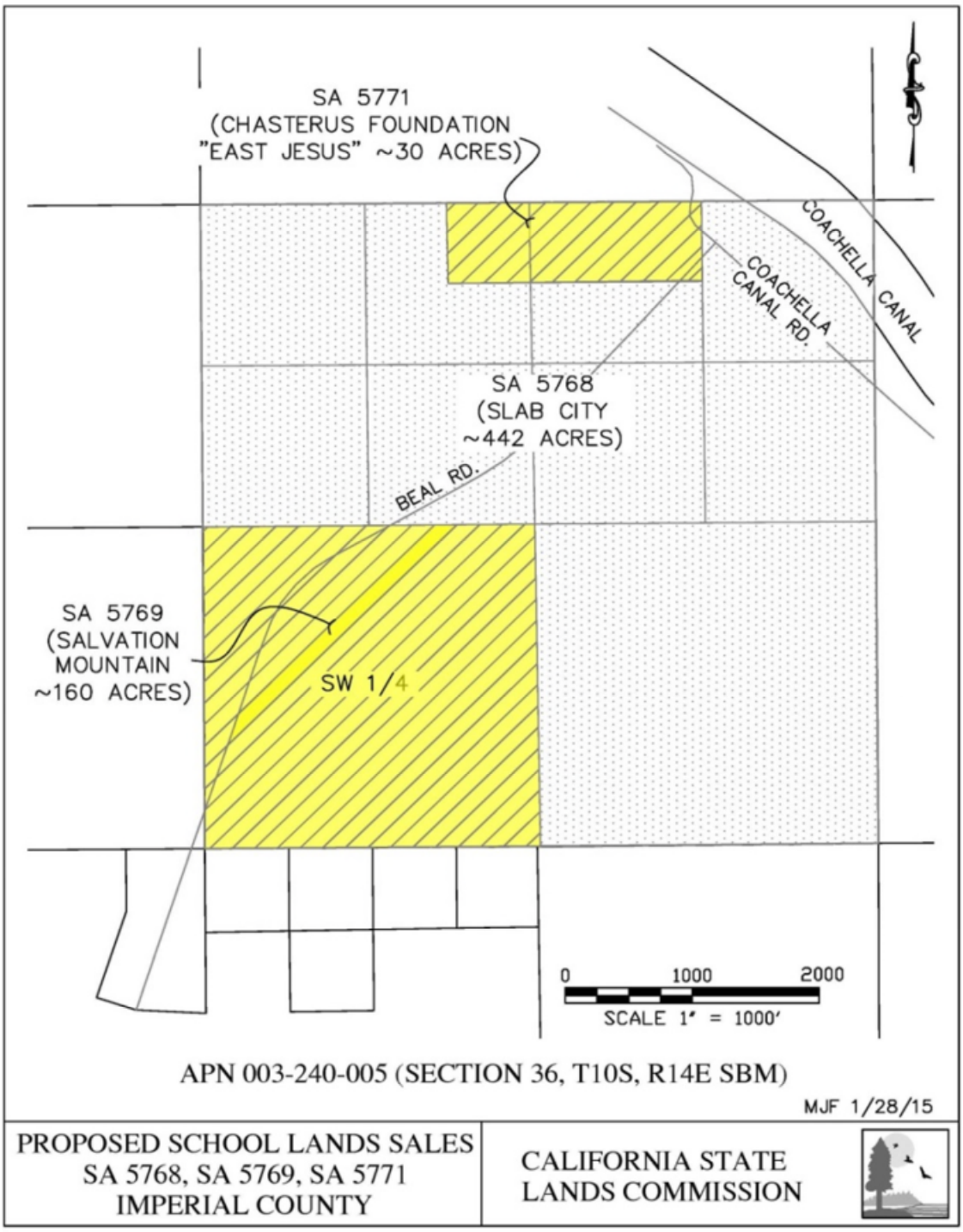


Figure ES-2. Salvation Mountain and East Jesus Parcels



Prospective buyers are: (1) Slab City Community Group, a nonprofit group comprised of a number of residents of Slab City; (2) Salvation Mountain Inc., a nonprofit organization formed in 2011 to support Salvation Mountain located in the southwest quarter of the 640-acre parcel; and (3) Chasterus Foundation, a nonprofit organization that operates an art installation known as “East Jesus.”

This ND analyzes the sale of only the Salvation Mountain and East Jesus School Land parcels. The potential sale by the CSLC of the 450-acre Slab City parcel will be subject to a separate environmental analysis in the future.

EXISTING CONDITIONS

The Project area includes the former Camp Dunlap, a 631-acre U.S. Marine Corps base that operated in the Project area during World War II. After the war, the camp was no longer needed for military purposes and was deactivated. In 1961, the property was quitclaimed back to the State of California. In the mid-1960s, a few individuals began to establish residences on the cement foundations that remained from Camp Dunlap. Homes included buildings constructed of plywood, discarded lumber, and other materials that remained from the dismantling of Camp Dunlap, as well as mobile homes and recreational vehicles. The small community became known as Slab City.

Clean-up operations on the former Camp Dunlap site are the responsibility of the U.S. Army Corps of Engineers (USACE) since the site is part of the Formerly Used Defense Sites (FUDS) program. Prior to conducting the biological and cultural surveys for this ND, a visual unexploded ordinance (UXO) sweep was performed at the 30-acre East Jesus and 160-acre Salvation Mountain sites in August 2015 by Engineering/Remediation Resources Group under contract to the CSLC. The visual field survey in the East Jesus site identified one MK 76 practice bomb, two inert training smoke grenades, two MK 76 practice bomb fins, and numerous small arms brass. These items were left in place because they did not pose an explosive hazard and were incorporated into artwork. The visual field survey within the Salvation Mountain site did not reveal any hazardous ammunitions or explosives. (See Appendix A, Environmental, Cultural, and Other Clearance Surveys, for additional information on the UXO survey.) The USACE estimates that some FUDS Program-listed sites could take until 2085 or beyond to cleanup. (See FUDS Frequently Asked Questions at: www.usace.army./Missions/Environmental/FormerlyUsedDefenseSites/FrequentlyAskedQuestions.aspx.)

Located near Slab City are Salvation Mountain and the art installation called East Jesus. Salvation Mountain is a 50-foot-tall structure built into a hillside starting in the early 1980s using concrete, adobe, and paint. In 1990, the original structure collapsed, and construction began on a new structure. Salvation Mountain Inc. currently maintains this structure. The East Jesus site initially consisted of sculptures and art cars, and later grew to include dozens of art installations made from discarded materials and a compound housing a few occupants. Chasterus Foundation currently operates the East Jesus art installation. Current activities within the Salvation Mountain and East Jesus parcels will continue to occur and are identified as baseline conditions. The Project does not include any construction or ground-disturbing activities. Any other future potential uses are speculative at this time.

ENVIRONMENTAL IMPACTS

The environmental factors checked below in Table ES-2 would be potentially affected by this Project; a checked box indicates that one impact would be a "Potentially Significant Impact," as detailed in Section 3 of this ND.

Table ES-2. Environmental Issues and Potentially Significant Impacts

☐ Aesthetics	☐ Agriculture and Forest Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology and Soils
☐ Greenhouse Gas Emissions	☒ Hazards and Hazardous Materials	☐ Hydrology and Water Quality
☐ Land Use and Planning	☐ Mineral Resources	☐ Noise
☐ Population and Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities and Service Systems	

PAGE INTENTIONALLY LEFT BLANK

1.0 PROJECT AND AGENCY INFORMATION

1.1 PROJECT TITLE

The California State Lands Commission Proposed Sale of School Lands in Imperial County (Project)

1.2 LEAD AGENCY AND PROJECT SPONSOR

California State Lands Commission (CSLC)
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825

Contact person:
Christopher Huitt, Senior Environmental Scientist
Division of Environmental Planning and Management
Christopher.Huitt@slc.ca.gov
(916) 574-2080

Applicants:[1]

Dan Westfall, President
Salvation Mountain Inc.
P.O. Box 1577
Calipatria, CA 92262

Matthew Cadwallader
Chasterus Foundation
336 N. St. Louis St.
Los Angeles, CA 90033

1.3 ORGANIZATION OF NEGATIVE DECLARATION

This Negative Declaration (ND) is intended to provide the CSLC, as the landowner and lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), the information required to exercise its discretionary responsibilities with respect to the Project. The document is organized as follows:

- Section 1 provides the Project objectives, Agency information, and a summary of the public review and comment process.
- Section 2 describes the Project including its location, environmental setting, and area background/history.
- Section 3 provides the Initial Study (IS), including the environmental setting and identification and analysis of potential impacts. The IS was conducted by the CSLC pursuant to State CEQA Guidelines section 15063.[2]

[1] As discussed in more detail below, this ND analyzes the sale of only two of the three parcels for which the CSLC has received applications.

[2] The State CEQA Guidelines are found in California Code of Regulations, Title 14, section 15000 et seq.

- Section 4 includes an environmental justice analysis and discussion consistent with CSLC Policy.
- Section 5 presents information on report preparation and references.
- Appendix A, Environmental, Cultural, and Other Clearance Surveys, includes technical and other information supporting the analysis presented in this ND.

1.4 PROJECT BACKGROUND AND OBJECTIVES

The Project involves the proposed sale of School Lands in Section 36 of Township 10 South, Range 14 East, San Bernardino Meridian located 2 miles east-northeast of Niland, Imperial County (a discussion of School Lands is provided below; see also Section 2, Project Description, for further details on the Project location). Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley.

School Lands were granted to the State of California by the federal government under the Act of March 3, 1853 (10 Stat. 244) for the purpose of supporting public education in California, and consisted of the 16th and 36th sections of land in each township (with the exceptions of lands reserved for public use, lands taken by private land claims, and lands known to be mineral in character). No federal patents to the State were required under this grant. Title to the lands vested in the State upon approval of the U.S. Township Survey Plats (subject to the exceptions described above). School lands were placed into a statutory trust in 1984 when the State Legislature approved the School Land Bank Act (Act), created the School Land Bank Fund (SLBF), and designated the CSLC as trustee of the SLBF. The Act directs that school lands be proactively managed and enhanced to provide for an economic base in support of the public school system.

As Trustee, the CSLC has authority to exchange or sell School Lands with the proceeds deposited to the SLBF) in support of the California State Teachers' Retirement System (CalSTRS). The Project objective is to partition a 640-acre School Lands parcel into three smaller parcels (30, 160, and 450 acres in size) that the CSLC proposes to sell individually to prospective buyers. The CSLC has received applications for the purchase of all three parcels (see Table 1-1); however, this ND analyzes the sale of only the Salvation Mountain and East Jesus parcels. The potential sale by the CSLC of the Slab City parcel will be subject to a separate environmental analysis in the future.

Table 1-1. Proposed Parcels within 640-Acre School Lands Parcel

Parcel Name	Reference #	Size	Prospective Buyer
Slab City	SA 5768	450 acres	Slab City Community Group
Salvation Mountain	SA 5769	160 acres	Salvation Mountain Inc.
East Jesus	SA 5771	30 acres	Chasterus Foundation

1.5 PUBLIC REVIEW AND COMMENT

In accordance with State CEQA Guidelines sections 15072, 15073, and 15105, the CSLC is releasing this ND for a minimum 30-day public review period to provide local and State agencies and the public the opportunity to review and comment on the document. In accordance with State CEQA Guidelines section 15074, subdivision (b), the CSLC will review and consider the ND, together with any comments received during the public review process and any modifications made in response to comments, prior to taking action on the ND and Project.

1.6 APPROVALS AND REGULATORY REQUIREMENTS

The CSLC's authority is set forth in Division 6 of the California Public Resources Code and the California Code of Regulations, Title 2, sections 1900–2970.

The CSLC must comply with CEQA when it undertakes an activity defined by CEQA as a "project" that must receive discretionary approval (i.e., the CSLC has the authority to approve or deny the requested sale, lease, permit, or other approval) which may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment. CEQA requires the CSLC to identify the significant environmental impacts of its actions and to avoid or mitigate those impacts, if feasible.

The proposed sale of School Lands is not subject to approval by other federal, State and local entities.

PAGE INTENTIONALLY LEFT BLANK

2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

The California State Lands Commission (CSLC) Proposed Sale of School Lands in Imperial County (Project) would authorize the CSLC to sell two parcels within a 640-acre parcel of State School Lands. The parcels are located approximately 2 miles east-northeast of Niland, Imperial County. Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley. The School Lands parcel (Assessor's Parcel Number [APN] 003-240-005) is accessed via Beal Road, a paved road that heads east from Niland's Main Street and traverses the property in a southwest-northeast direction. The Project area is located on the U.S. Geological Survey 7.5' Iris Wash and Iris quadrangle maps (Figure 2-1). Current features within the 640-acre School Lands parcel include Slab City, Salvation Mountain, and the artist colony called “East Jesus” (Figures 2-2 and 2-3).

2.2 ENVIRONMENTAL SETTING

The Project area is located in the central basin of the Colorado Desert within the Salton Trough (Salton Sink), a northwestern landward continuation of the rift that extends 140 miles northwest from the head of the Gulf of California. The Trough ranges in width from a few miles at its northwest point to 70 miles at the U.S.-Mexico border and is surrounded by mountains, except at the south side where a barrier formed by the Colorado River Delta separates the Salton Trough from the Gulf of California (Waters 1981). The Trough is traversed by the San Andreas Fault and bordered on the east by the Chocolate Mountains, which stretch more than 60 miles in a northwest to southeast direction and rise to an elevation of 2,475 feet above sea level (asl). The Trough was formed by a gradual sinking of the land concurrent with uplift of the surrounding mountains during the Miocene, Pliocene, and Pleistocene eras (Dibble 1954). Much of the Salton Trough lies below sea level. At its lowest elevation lies the Salton Sea, located about 6 miles to the east of the Project area.

The Colorado Desert is a hot, dry desert region that consists of low valleys surrounded by high mountains. The average annual rainfall and temperature vary with elevation. In much of the lower region rainfall ranges from 2.5 centimeters (cm) to 5 cm per year; while other areas receive as much as 20 to 25 cm of precipitation per year. The marked elevation changes in the area also reflect variations in temperature. In most of the Colorado Desert, summer temperatures range between 100° and 120° Fahrenheit (F), while in the mountainous regions, summer temperatures tend to hover around 90° F. The winters are windier and more variable in temperature than in the summer, but rarely reach below freezing (University of California, Santa Barbara 2015; Warren 1984).

Figure 2-1. Project Site Location

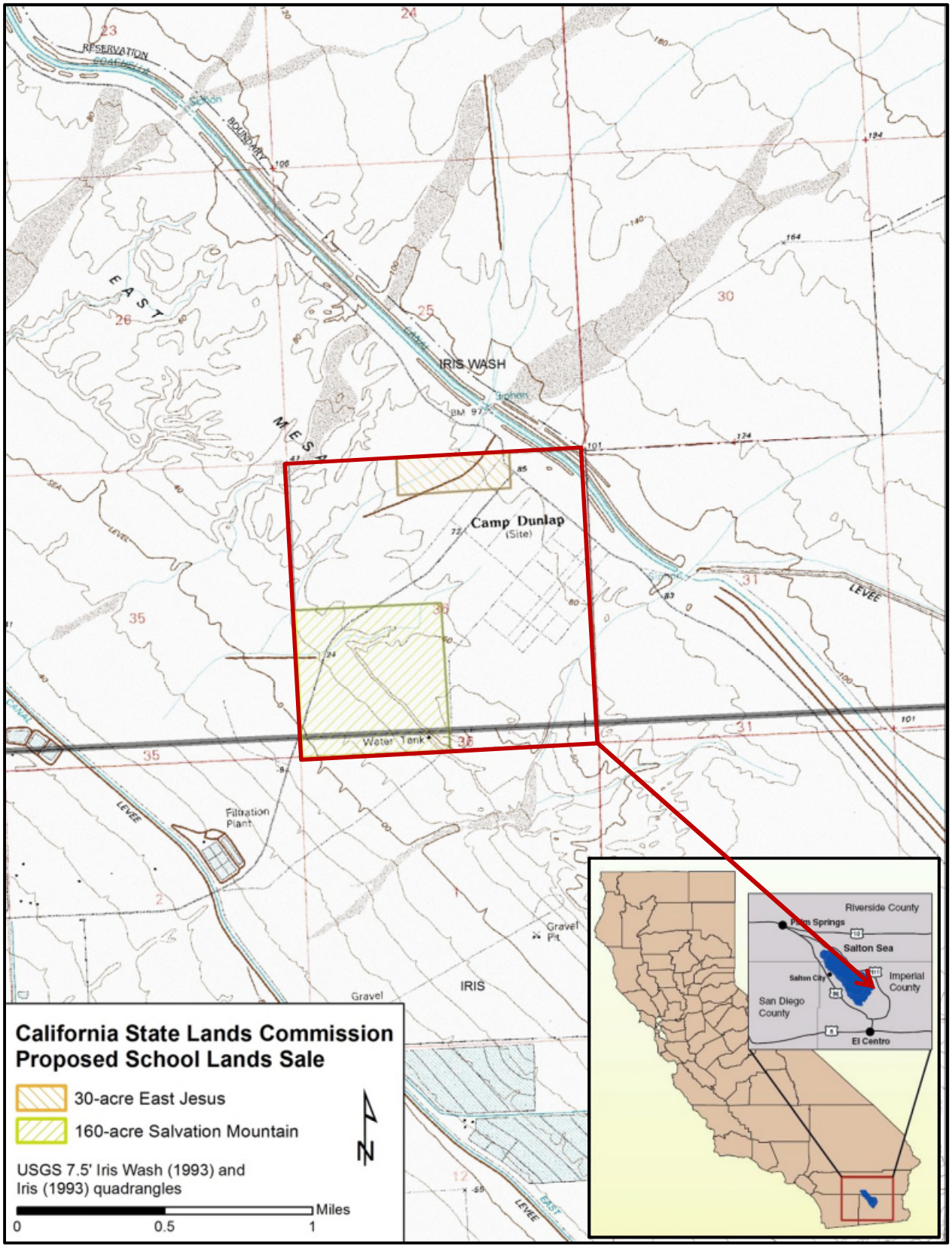


Figure 2-2. Map of Salvation Mountain and East Jesus Parcels

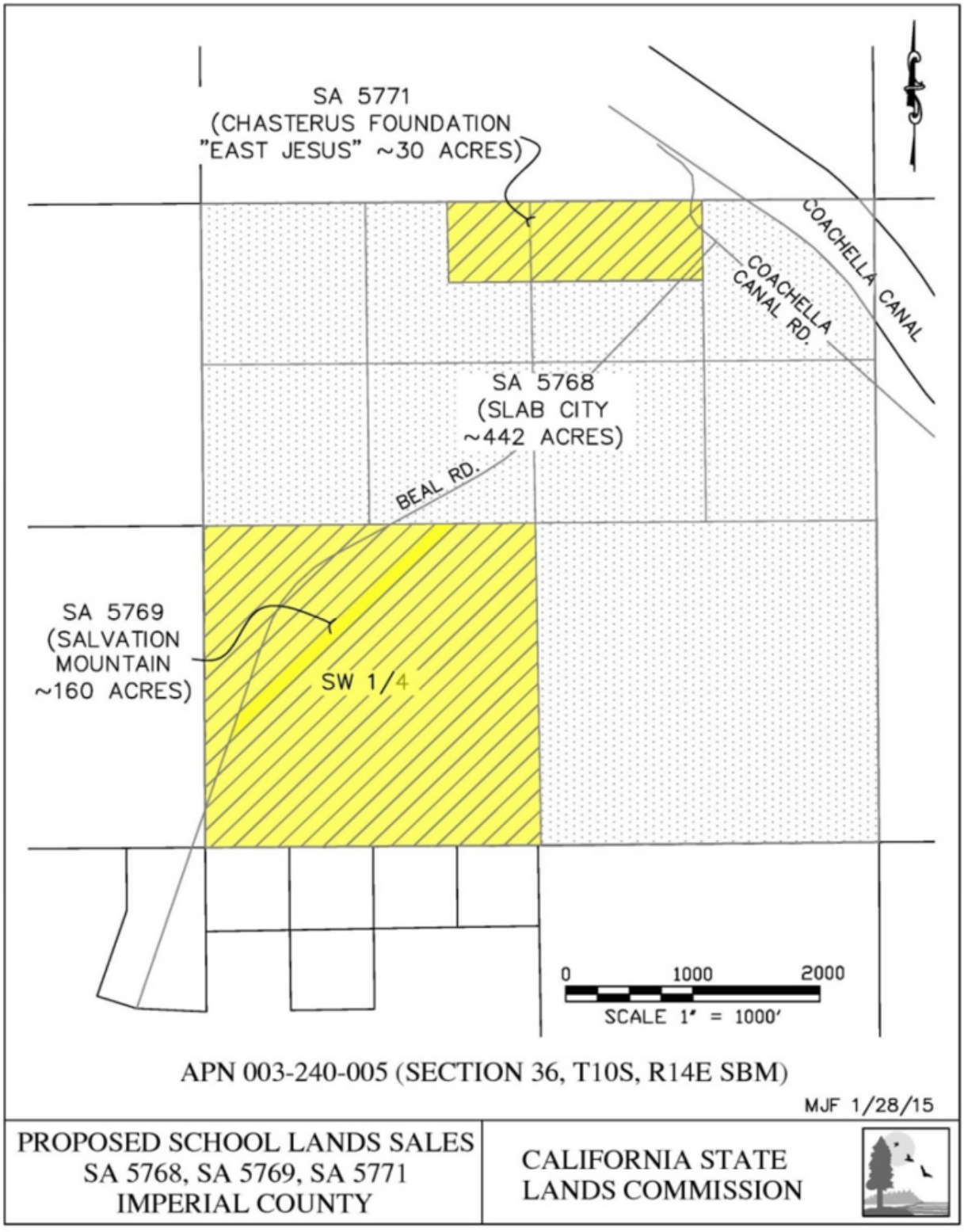


Figure 2-3. Pictures of Salvation Mountain and East Jesus

Salvation Mountain	
East Jesus	

CSLC staff photographs (August 2015)

2.3 AREA BACKGROUND/HISTORY

2.3.1 Camp Dunlap

During World War II (1939-1945), the Project area included Camp Dunlap, a U.S. Marine Corps (USMC) base activated in 1942 as a training base for the 10th, 12th and 13th Marines, the artillery regiment of the 3rd Marine Division. The camp was named after Brigadier General Robert H. Dunlap, who is referred to as the "Father of Marine Corps Artillery." Under the command of Colonel John B. Wilson, the USMC conducted extensive artillery training at Camp Dunlap before deploying in 1943. The base also provided training areas for Army troops under General Patton, a bombing range for planes from a nearby Marine Air Station, and a staging area for smaller Marine groups.

Camp Dunlap was 631 acres in size with the main part of the camp located on higher ground in the northeast quarter of Section 36. The base, which served 185,000 troops for 3 years before it was deactivated in 1945, consisted of 65 buildings, a water treatment system, electrical and water distribution system, sewage collection and treatment system, more than 8.2 miles of paved streets, recreational areas including a swimming pool and a movie theater, and concrete fuel tanks (California Military Department 2015; Marine Corps Chevron 1946). In 1946, the U.S. Government approved the dismantling and removal of buildings from Camp Dunlap.

> *The lumber was stripped of nails and hardware. The roofs, covered with roofing paper and several coats of tar, had no value and were left at the site. The lumber was hauled to Westmorland, where two motels were constructed.... Lumber was also used locally. A church was built in Niland; three homes were built on 4th Street, barns, chicken houses and fences (Anglin 1997).*

A skeleton crew remained to dismantle the buildings until 1949. Materials and equipment were loaded onto trucks and sent to Camp Pendleton or salvaged by a local company. When the land containing Camp Dunlap was quitclaimed back to the State of California, only the concrete slab foundations from the former buildings remained (Anglin 1997). (Table 3.5-1 in Section 3.5, Cultural and Paleontological Resources, identifies cultural areas associated with Camp Dunlap.)

2.3.2 Slab City

In the mid-1960s, a few individuals began to establish residences on the cement foundations that remained from Camp Dunlap, a 631-acre U.S. Marine Corps base occupied in the area during World War II. Homes included buildings constructed of plywood, discarded lumber, and other materials that remained from the dismantling of Camp Dunlap, as well as mobile homes and recreational vehicles. A small community was formed that became known as Slab City. Slab City continues to attract occupants and visitors.

2.3.3 Salvation Mountain and East Jesus

Located near Slab City are Salvation Mountain and the art installation called East Jesus. Salvation Mountain is a 50-foot-tall structure built into a hillside in the early 1980s using concrete, adobe, and paint. In 1990, the original structure collapsed, and construction began on a new structure. Salvation Mountain Inc. currently maintains this structure. A history of Slab City and Salvation Mountain is provided by Anglin (1997).

East Jesus is an art installation located less than a mile north of Salvation Mountain. The site initially consisted of sculptures and art cars, and later grew to include dozens of art works made from discarded materials and a compound housing a few occupants. The Chasterus Foundation currently manages the art installation.

2.4 PROPOSED PROJECT

The CSLC is proposing to partition the 640-acre School Lands parcel to facilitate the sale of three smaller parcels. Prospective buyers are: (1) Slab City Community Group, a nonprofit group comprised of a number of residents of Slab City; (2) Salvation Mountain Inc., a nonprofit organization formed in 2011 to support Salvation Mountain located in the southwest quarter of the 640-acre parcel; and (3) Chasterus Foundation, a nonprofit organization that operates an art installation at the north end of the East Jesus parcel. Information on each parcel is provided in Table 1-1 (see also Figure 2-2). This Negative Declaration (ND) analyzes only the sale of the East Jesus and Salvation Mountain parcels. The potential sale by the CSLC of the Slab City parcel will be subject to a separate environmental analysis in the future.

The proposed purchasers of the Salvation Mountain and East Jesus parcels have stated they plan to continue the existing uses associated with the respective parcels. Current activities within the parcels are therefore identified as baseline conditions. Any other uses and potential impacts are too speculative for evaluation.

Upon review of potential renewable energy resources in the area, CSLC staff is evaluating retaining an easement, north of Beal Road along the west edge of Section 36 and partially within the Salvation Mountain parcel, for access to and surface rights for future renewable energy exploration and development. The potential easement area is within the West Chocolate Mountain Renewable Energy Evaluation Area that the U.S. Bureau of Land Management believes has geothermal and solar energy potential.

The entire Project area is included on a list enumerated under Government Code section 65962.5 (“Cortese List”), listed pursuant to Health and Safety Code section 25356 for hazardous materials and areas for potential unexploded ordinance (UXO) (DTSC 2015). Any future access roads or development would require a UXO survey, coordination with other regulatory agencies, and additional environmental review.

3.0 ENVIRONMENTAL CHECKLIST AND ANALYSIS

This section contains the Initial Study (IS) that was conducted for the California State Lands Commission (CSLC) Proposed Sale of School Lands in Imperial County (Project) in accordance with the requirements of the California Environmental Quality Act (CEQA). The IS identifies site-specific conditions and impacts and evaluates their potential significance. The information, analysis and conclusions included in the IS provide the basis for determining the appropriate document needed to comply with CEQA. Based on the analysis and information contained in the IS, CSLC staff believes the Project will not have a significant effect on the environment. As a result, the CSLC has concluded that a Negative Declaration (ND) is the appropriate CEQA document for the Project.

The evaluation of environmental impacts provided in this IS based in part on the impact questions contained in Appendix G of the State CEQA Guidelines; these questions, which are included in an impact assessment matrix for each environmental category (Aesthetics, Agriculture/Forest Resources, Air Quality, Biological Resources, etc.), are "intended to encourage thoughtful assessment of impacts." Each question is followed by a check-marked box with column headings that are defined below.

- **Potentially Significant Impact.** This column is checked if there is substantial evidence that a Project-related environmental effect may be significant. If there are one or more "Potentially Significant Impacts," a Project Environmental Impact Report (EIR) would be prepared.
- **Less than Significant with Mitigation.** This column is checked when the Project may result in a significant environmental impact, but the incorporation of identified Project revisions or mitigation measures would reduce the identified effect(s) to a less than significant level.
- **Less than Significant Impact.** This column is checked when the Project would not result in any significant effects. The Project's impact would be less than significant even without the incorporation of Project-specific mitigation measures.
- **No Impact.** This column is checked when the Project would not result in any impact in the category or the category does not apply.

The environmental factors checked below would be affected by this Project; there is one impact that would be a "Less than Significant Impact."

☐ Aesthetics	☐ Agriculture and Forest Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology and Soils
☐ Greenhouse Gas Emissions	☒ Hazards and Hazardous Materials	☐ Hydrology and Water Quality
☐ Land Use and Planning	☐ Mineral Resources	☐ Noise
☐ Population and Housing	☐ Public Services	☐ Recreation
☐ Transportation/Traffic	☐ Utilities and Service Systems	

Detailed descriptions and analyses of impacts from the Project and the basis for their significance determinations are provided for each environmental factor on the following pages, beginning with Section 3.1, Aesthetics. Relevant laws, regulations, and policies potentially applicable to the Project are listed in the Regulatory Setting for each environmental factor analyzed in this IS.

AGENCY STAFF DETERMINATION

Based on the environmental impact analysis provided by this Initial Study:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

_____ _____

Signature Date

Christopher Huitt, MS, Senior Environmental Scientist
Division of Environmental Planning and Management
California State Lands Commission

3.1 AESTHETICS

AESTHETICS – Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

3.1.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, Imperial County, in the central basin of the Colorado Desert. Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley. The 640-acre School Lands parcel containing the two smaller Project parcels is accessed via Beal Road, a paved road that heads east from Niland's Main Street and traverses the property in a southwest-northeast direction. The Project area includes Salvation Mountain and the East Jesus property with its art installations (Figure 2-3). Activities at these sites are not expected to change as a result of the Project and are part of the baseline conditions. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. Any other uses and potential impacts are too speculative for evaluation.

3.1.2 Regulatory Setting

Federal and State laws and regulations pertaining to this issue area and relevant to the Project are identified in Table 3.1-1.

Table 3.1-1. Laws, Regulations, and Policies (Aesthetics)

CA	California Scenic Highway Program	The California Scenic Highway Program, managed by the California Department of Transportation, was created to preserve and protect scenic highway corridors from change that would diminish the aesthetic value of lands adjacent to highways. State highways identified as scenic, or eligible for designation, are listed in California Streets and Highways Code section 260 et seq.

At the local level, goals, policies, and/or regulations applicable to aesthetics are found in the Circulation and Scenic Highways Element of the Imperial County General Plan (Imperial County 1993), which identifies the location and extent of transportation routes and facilities. This Element, which is a mandatory component of the General Plan (pursuant to Gov. Code, § 65302, subd. (b)), is intended to meet the transportation needs of local residents and businesses and as a source for regional coordination. The Circulation and Scenic Highways Element, which identifies scenic highways in the County, also provides a means of protecting and enhancing scenic resources within both rural and urban scenic highway corridors in Imperial County.

3.1.3 Impact Analysis

a) Have a substantial adverse effect on a scenic vista?

No Impact. The proposed sale of School Lands will not have an adverse effect on a scenic vista.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No Impact. The proposed sale of School Lands will not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway; will not substantially degrade the existing visual character or quality of the site and its surroundings; and will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. Neither the nearest major road, Imperial County Road 111 (located approximately 3.5 miles from the Project area) nor Beal Road, which provides access to the parcels, are state scenic highways.

3.1.4 Summary

Based upon the above considerations, no impacts to aesthetics are expected to occur as a result of the proposed sale of School Lands.

3.2 AGRICULTURE AND FOREST RESOURCES

AGRICULTURE AND FOREST RESOURCES[3] - Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Natural Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Pub. Resources Code, § 12220, subd. (g)), timberland (as defined by Pub. Resources Code, § 4526), or timberland zoned Timberland Production (as defined by Gov. Code, § 51104, subd. (g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

3.2.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, Imperial County, in the central basin of the Colorado Desert. Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley. Agriculture lands occur south of the Salton Sea extending to the Mexico border in central Imperial County. No agriculture or forested lands are present on or near the 640-acre School Lands parcel containing the two parcels proposed for sale. The proposed purchasers of the School Lands parcels plan to continue the existing

[3] In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

uses (current baseline conditions) associated with the respective parcels. Any other uses and potential impacts are too speculative for evaluation.

3.2.2 Regulatory Setting

No federal, State, or local agricultural or forestry-related goals, policies, and/or regulations are applicable to the Project area as no agriculture or forest lands or activities occur on the 640-acre School Lands parcel containing the two parcels proposed for sale.

3.2.3 Impact Analysis

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Natural Resources Agency, to non-agricultural use?

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Pub. Resources Code, § 12220, subd. (g)), timberland (as defined by Pub. Resources Code, § 4526), or timberland zoned Timberland Production (as defined by Gov. Code, § 51104, subd. (g))?

d) Result in the loss of forest land or conversion of forest land to non-forest use?

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. The proposed sale of School Lands will not affect agricultural or forestry-related uses as there are no such lands or uses within the 640-acre School Lands parcel containing the two smaller Project parcels.

3.2.4 Summary

Based upon the above considerations, no impacts to agriculture and forest resources are expected to occur as a result of the proposed sale of School Lands.

3.3 AIR QUALITY

AIR QUALITY – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒

3.3.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, Imperial County, in the central basin of the Colorado Desert within the Salton Trough (Salton Sink). Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley. The region is hot and dry and consists of low valleys surrounded by high mountains. The average annual rainfall and temperature vary with elevation. Winters are windier than in the summer. The Project would result in the transfer of ownership of smaller parcels partitioned from a 640-acre parcel of School Lands to private entities. Current activities on the transferred parcels would not change (no new construction or facility operations are proposed) and the sites would not be physically affected by the transfer of title and ownership. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. Any other uses and potential impacts are too speculative for evaluation.

3.3.2 Regulatory Setting

Federal and State laws and regulations pertaining to this issue area and relevant to the Project are identified in Table 3.3-1.

Table 3.3-1. Laws, Regulations, and Policies (Air Quality)

U.S.	Federal Clean Air Act (FCAA) (42 USC 7401 et seq.)	The FCAA requires the U.S. Environmental Protection Agency (USEPA) to identify National Ambient Air Quality Standards (NAAQS) to protect public health and welfare. National standards are established for ozone (O_3), carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter (PM_{10} and $PM_{2.5}$), and lead (Pb). In 2007, the U.S. Supreme Court ruled that carbon dioxide (CO_2) is an air pollutant as defined under the FCAA, and that the USEPA has authority to regulate GHG emissions. Pursuant to the 1990 FCAA Amendments, USEPA classifies air basins (or portions thereof) as in "attainment" or "nonattainment" for each criteria air pollutant, based on whether or not the NAAQS are achieved. The classification is determined by comparing monitoring data with State and Federal standards. • An area is classified as in "attainment" for a pollutant if the pollutant concentration is lower than the standard. • An area is classified as in "nonattainment" for a pollutant if the pollutant concentration exceeds the standard. • An area is designated "unclassified" for a pollutant if there are not enough data available for comparisons.
CA	California Clean Air Act of 1988 (CCAA) (Assembly Bill [AB] 2595)	The CCAA requires all air districts in the State to endeavor to achieve and maintain State ambient air quality standards for O_3, CO, SO_2, NO_2, and PM; attainment plans for areas that did not demonstrate attainment of State standards until after 1997 must specify emission reduction strategies and meet milestones to implement emission controls and achieve more healthful air quality. The 1992 CCAA Amendments divide O_3 nonattainment areas into four categories of pollutant levels (moderate, serious, severe, and extreme) to which progressively more stringent requirements apply. State ambient air standards are generally stricter than national standards for the same pollutants; California also has standards for sulfates, hydrogen sulfide (H_2S), vinyl chloride, and visibility-reducing particles.

At the local level, the Imperial County Air Pollution Control District (ICAPCD) under the authority of the County Air Pollution Control Officer (APCO) implements County Rules and Regulations pursuant to section 115 of the definitions and applicable sections of the California Health and Safety Code and Title 17 of the California Code of Regulations, as well as the Federal Clean Air Act and its implementing regulations (ICAPCD 2015). Rules and Regulations identified in section 115 that pertain to Imperial County include:

A. All sections contained in the California Health and Safety Code relating to Air Pollution Control shall have application in the ICAPCD unless superseded by more stringent provisions in these rules and regulations.

B. The APCO shall enforce those applicable Health and Safety Code regulations in the same manner as if they were set forth in these regulations.

C. Permits issued by the ICAPCD shall include language requiring compliance with all applicable air pollution control regulations of state, federal, and local agencies. Air emission or performance standards of state or federal agencies may be required in connection with permits issued. Violation of such regulations or required standards shall be considered as a violation of conditions of the permit.

D. The incorporation of, or reference to, regulations of other governmental agencies by the ICAPCD is not meant to interfere in any way with the procedures or

enforcement activities of these other agencies. No applicant, or any other Person, is relieved of any obligation to comply with the regulations of other governmental agencies, by the incorporation of, or reference to, any other agency's regulations.

E. The APCO shall insure that applicants for permits, and other interested Persons, are made aware of the existence of air pollution control regulations of other agencies. The APCO may prepare summaries of such regulations and make them available at a reasonable cost.

3.3.3 Impact Analysis

a) Conflict with or obstruct implementation of the applicable air quality plan?

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

d) Expose sensitive receptors to substantial pollutant concentrations?

e) Create objectionable odors affecting a substantial number of people?

No Impact. The Project will not:

- conflict with or obstruct implementation of any applicable air quality plans;
- violate any air quality standard;
- contribute substantially to an existing or projected air quality violation;
- result in a cumulatively considerable net increase of any criteria pollutant;
- expose sensitive receptors to substantial pollutant concentrations; or
- create objectionable odors.

The Project would result in the transfer of ownership of smaller parcels partitioned from a 640-acre parcel of School Lands to private entities. Current activities on the parcels would not change (no new construction or facility operations are proposed) and the sites would not be physically affected by the transfer of title and ownership.

3.3.4 Summary

Based upon the above considerations, no impacts to air quality are expected to occur as a result of the proposed sale of School Lands.

3.4 BIOLOGICAL RESOURCES

BIOLOGICAL RESOURCES – Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?	☐	☐	☐	☒

3.4.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, Imperial County, in the central basin of the Colorado Desert, a hot, dry desert region that consists of low valleys surrounded by high mountains. The vegetation reflects the arid environment and variations in rainfall and temperature, which result in regional differences in vegetation. Within the Colorado Desert, the lack of frost enables succulents and other frost sensitive plants to thrive, such as cholla bloom, munz's cholla, ocotillo, agave, barrel cactus, and encelia (rabbit brush). Creosote bush (including ocotillo and cholla cactus), which is the dominant plant type throughout the lower elevations of the Colorado and Mojave deserts, forms a monotonous cover over vast areas and surrounds riparian

plant communities in large washes and other locations where water is available. Plant communities around springs, marshes, and streambeds include tule, cattail, and various types of grasses. In washes, mesquite, saltbush, Desert ironwood, smoke tree, and palo verde are found. In higher elevations, the creosote bush community gives way to the black bush community, including yuccas and agaves. Fault lines, such as those located east of the Salton Sea, and the high western mountains create many springs that support California fan palm oases and reflect characteristics of a wetter past climate (University of California, Santa Barbara 2015). Local fauna consist of jackrabbits, desert cottontails, wood rat and various small rodents, lizards and snakes. Large game animals, such as mountain sheep, deer, and pronghorn are rare in most places.

Methods described below focused on determination of potential for occurrence of sensitive plant and wildlife species. Species are considered to be sensitive, and are thus subject to analysis in this section, if they meet one or more of the following criteria:

- Plant and animal species listed as endangered (FE), threatened (FT), or candidates (FC) for listing under the Federal Endangered Species Act (FESA);
- Plant and animal species listed as endangered (SE), threatened (ST), or candidates (SC) for listing under the California Endangered Species Act (CESA);
- Animals designated as Fully Protected Species (FP), as defined in California Fish and Game Code sections 3511, 4700, 5050, and 5515;
- Animal species designated as Species of Special Concern (SSC) by the CDFW;
- Bat species designated as High Priority (H) by the Western Bat Working Group (WBWG);
- Plants that are state-listed as Rare1; or
- Plant species ranked by the California Native Plant Society (CNPS) as having a California Rare Plant Rank (CRPR) of 1 or 2.2

Sensitive natural communities are communities that have a limited distribution and are often vulnerable to the environmental effects of projects. These communities may or may not contain sensitive species or their habitats. For purposes of this assessment, sensitive natural communities are considered to be any of the following:

- Vegetation communities listed in the California Natural Diversity Database (CNDDB);
- Communities listed in the Natural Communities List with a rarity rank of S1 (critically imperiled), S2 (imperiled), or S3 (vulnerable); or
- Imperial County General Plan (ICGP) Sensitive Wildlife Areas.

The contract consultant for the biological surveys, Blackhawk Environmental, conducted a database records search (July 2015) centered on the U.S. Geological Survey (USGS) 7.5' Iris Wash and Iris quadrangles, Section 36, Township 10S, Range 14E. The CDFW CNDDB (CDFW 2015), the U.S. Fish and Wildlife Service (USFWS) Species Occurrence Database (USFWS 2015), and the CNPS Electronic Inventory of Rare and Endangered Vascular Plants of California (CNPS 2015) were reviewed for the quadrangles containing and surrounding the survey area; a 5-mile radius surrounding the Project area was reviewed. CNDDB contains records of reported occurrences of federal- and State-listed species, proposed endangered or threatened species, Federal Birds of Conservation Concern, SSC, or otherwise sensitive species or communities that may occur within or in the Project vicinity. This database and literature review was used to provide details on species that have a potential to occur within the survey area prior to conducting habitat assessment or focused survey efforts.

Using the background data described above, Blackhawk Environmental biologists conducted field surveys from August 17 through August 19, 2015, to assess the 160-acre (Salvation Mountain) and 30-acre (East Jesus) School Lands parcel areas for their existing conditions and their capacities to potentially harbor sensitive biological resources identified in the literature review (target species). A summary of the wildlife and plant species observed is provided within the biological survey section results in Appendix A, Environmental, Cultural, and Other Clearance Surveys.

Habitat Assessment

The habitat assessment was conducted over 2 days, on August 18 and August 19, 2015. Blackhawk Environmental biologists performed a pedestrian survey of the entire 190-acre Project area. Methods included belt transect spaced approximately 15 meters apart in addition to meandering transects. Where appropriate, biologists paused at select vantage points to provide full visual coverage of the Project area. During the field survey, all plant and wildlife species observed or detected were recorded in field notebooks. Binoculars were used as needed to identify wildlife species. Plant species observed were identified to species level when feasible according to the nomenclature in The Jepson Manual: Vascular Plants of California Edition 2 (2012). Vegetation communities were described according to dominant plant(s) species and annotated on high resolution aerial photographs of the Project area. The habitat assessment did not include focused or protocol level surveys for any sensitive plant or wildlife species.

Potentially jurisdictional water resources were reviewed on high-resolution aerial photograph and topographic maps. If potentially jurisdictional features were observed during the field surveys, biologists documented associated vegetation/communities, presence of ordinary high watermarks or streambeds, substrates, hydrological indicators and potential connectivity. The habitat assessment did not include a formal jurisdictional delineation effort.

Two vegetation communities were observed within the Project area. Vegetation communities are preliminarily described according to those described in the ICGP Conservation and Open Space Element. Specific habitats were further described based on dominant plant species generally characterizing the specific vegetation community.

Desert Wash

The ICGP Conservation and Open Space Element describes desert wash habitats as "characterized by the presence of arborescent, often spiny, shrubs generally associated with intermittent streams (washes) or alluvial deposits adjacent to washes." Canopy species typically found in washes include palo verde (*Parkinsonia microphylla*), desert ironwood (*Olneya tesota*), smoketree (*Psorothamnus spinosus*), cat-claw acacia (*Senegalia greggii*), mesquite (*Prosopis* spp.), and tamarisk (*Tamarix* spp.). Plants of the sub-canopy include desert broom (*Lepidospartum squamatum*), desert willow (*Chilopsis linearis*), crucillo (*Ziziphus* spp.), Anderson's wolfberry (*Lycium andersonii*), and arrowweed (*Pluchea sericea*). Groundcover species include white brittlebush (*Encelia farinosa*), desert goldenbush (*Isocoma acradenia*), saltbush (*Atriplex* spp.), barrel cactus (*Ferocactus* spp.), white bursage (*Ambrosia dumosa*), desert lavender (*Condea emoryi*), snakeweed (*Gutierrezia sarothrae*), as well as a variety of forbs and grasses. Within the Project area, desert wash habitats are more specifically characterized as mesquite washes, ironwood – mesquite complexes, and big galleta grass (*Hilaria rigida*) washes. Mesquite washes within the Project area are dominated by honey mesquite (*Prosopis glandulosa*) with associated species that include saltcedar (*Tamarix ramosissima*), athel tree (*Tamarix aphylla*), palo verde, desert thorn (*Lycium brevipes*), desert ironwood, bush seepweed (*Sueada nigra*), big galleta grass, spurges (*Chamaesyce* sp.), and sparse forbs. Vegetation cover is generally unevenly distributed, with the majority of vegetation occurring along the margins of drainage features providing an average of approximately 30 percent ground cover with dense thickets forming in small isolated patches. Within the Project area, ironwood–mesquite complexes are co-dominated by desert ironwood and honey mesquite with associated species that include desert saltbush (*Atriplex polycarpa*), creosote bush (*Larrea tridentata*), and palo verde. This community generally occurs in habitat interface areas between washes and the surrounding upland desert scrub communities, and provides 20 to 40 percent ground cover. Current land use suggests that components of this community may have been planted in decades past for landscaped shading and therefore may not otherwise occur naturally in some of the higher density stands as those observed onsite.

Within the Project area, big galleta grass wash habitat is dominated by big galleta grass. Additional non-dominant species observed to occur within this habitat include desert saltbush, white bursage, desert thorn, palo verde, and spurges. This community generally occurs in the upper reaches and headwater areas of washes where braided channels form. Vegetation within this community is sparse and provides approximately

15 to 20 percent ground cover. Evidence of human disturbance includes off-road vehicle usage, trash, past earthmoving operations, and human encampments.

Desert Scrub

The ICGP Conservation and Open Space Element describes desert scrub habitats as, "the most widespread habitat in the California deserts. They are well-developed on valley floors and alluvial deposits adjacent to washes." Creosote bush is generally the dominant plant species in this habitat. Other species include saltbush, indigo bush (*Psorothamnus schottii*), desert goldenbush, white brittlebush, white bursage, catclaw acacia, bladderpod (*Peritoma* spp.), desert agave (*Agave deserti*), barrel and hedgehog cacti (*Ferocactus* spp. and *Echinocereus* spp.), branched pencil and teddybear cholla (*Cylyndropuntia* spp.), Palmer's coldenia (*Tiquilia palmeri*), Wiggin's croton (*Croton wigginsii*), desert globemallow (*Sphaeralcea ambigua*), jojoba (*Simmondsia chinesis*), little-leaf rhatany (*Krameria bicolor*), ocotillo (*Fouquieria splendens*), beavertail (*Opuntia basiliaris*), prickly-pear (*Opuntia* spp.), Douglas and rubber rabbitbrush (*Chrysothamnus* spp.), desert sand verbena (*Abronia villosa*), desert senna (*Senna armata*), desert thorn, and Mojave yucca (*Yucca schidigera*). Forbs and grasses include triangle evening primrose (*Cammisonia* spp.), big galleta grass, and Spanish-needles (*Bidens bipinnata*).

Within the Project area, desert scrub habitats are more specifically characterized as creosote–saltbush complex, and creosote scrub. Creosote–saltbush complex within the Project area is co-dominated by sparse creosote bush and desert saltbush, with associated species that include desert goldenbush, white bursage, palo verde, honey mesquite, puncture vine (*Tribulus terrestis*), spurges, and forbs. Overall vegetation cover within this community provides approximately 10 to 20 percent ground cover.

Within the Project area, creosote scrub habitat is dominated by nearly monotypic creosote bush. Creosote scrub within the Project area is dominated by sparse creosote bush with associated species that include desert saltbush, white bursage, cheesebush, puncture vine, spineflower (*Chorizanthe* sp.), Palmer's coldenia, spurges, and forbs. Overall vegetation cover within this community provides approximately 5 to 15 percent ground cover. Evidence of human disturbance includes off-road vehicle usage, trash, past earthmoving operations, and human encampments.

Developed Areas

Within the Project area, developed areas are characterized by the absence or near absence of native vegetation communities and high levels of anthropogenic disturbance. Developed areas include paved roadways, encampments, art structures, materials and vehicle storage areas, and disposal/dump areas.

Sensitive Riparian Areas

The Project area is generally bisected by two USGS topographic map blueline drainage features draining south and west and eventually connecting to the Salton Sea. These features are best described as ephemeral desert washes characterized by gravel and sand beds exhibiting signs of moderate to high volume flows. Ordinary high water marks (OHWM) within these features range from 15 to 40 feet in width, with bank-to-bank (BTB) measurements averaging approximately 20 to 75 feet in width. Banks within these washes show shelving, scouring, sediment sorting, surface cracks, and drift deposits. Vegetation communities within these washes are dominated by upland plant species and are therefore not likely considered CDFW riparian. Wetland waters under the jurisdiction of the U.S. Army Corps of Engineers (USACE), State Regional Water Quality Control Board (RWQCB) and CDFW are not expected to occur. However, these washes are likely considered USACE non-wetland Waters of the U.S, RWQCB non-wetland Waters of the State and CDFW jurisdictional streambeds.

Hydrologic input for the washes described above occurs through a series of tributary features from the surrounding upland areas that may be subject to USACE, RWQCB and/or CDFW jurisdiction. Tributaries within the Project area are un-vegetated or dominated by upland vegetation exhibiting moderate- to low-frequency flow regimes within OHWM and BTB areas averaging 2 to 6 feet in width. Also present within the Project area are a series of swales and erosional features lacking evidence of OHWM and/or connectivity, where low-frequency flow apparently dissipates into upland areas lacking connectivity with traditionally navigable waters.

Sensitive Wildlife Areas

The Imperial County General Plan and CDFW have identified areas within and adjacent to the Project area as Sensitive Wildlife Areas for the federally and state-endangered razorback sucker. CNDDB and USFWS indicate historic occurrences for this species within the Project vicinity. Habitat was evaluated during the field survey, and since no permanent water sources are within the Project boundaries, no suitable habitat was identified for this species on the Project area. No other Sensitive Wildlife Areas or sensitive natural communities were identified during the literature review or field survey.

Special Status Wildlife and Plant Species

The literature review resulted in a total of 14 sensitive wildlife species and four sensitive plant species known to occur within 5 miles of the Project area. Of these, five wildlife species are listed as threatened or endangered under the CESA and four wildlife species are listed as threatened or endangered under the FESA. No state or federally listed plant species were recorded to occur within 5 miles of the Project area. The resulting list of species is included in Table 3.4-1 below. A complete list of wildlife

species observed is included in Appendix A, Environmental, Cultural, and Other Clearance Surveys.

Following the habitat assessment, potentials for sensitive species to occur were evaluated based on proximity, recent and abundance of known occurrences, availability of suitable habitats, and historic distributions of the species. Potentials for occurrence were generally evaluated based on the following criteria:

- **Present** – Species was observed within the Project area during the survey effort.
- **High** – Historic records indicate that the species has been known to occur within the vicinity of the Project area (5 miles), and suitable habitat occurs onsite.
- **Moderate** – Historic records indicate that the species has been known to occur within the vicinity of the Project area, but low quality suitable habitat occurs onsite, or; no historic records occur within the Project area, but the Project area occurs within the historic range of the species, and moderate to high quality habitat occurs.
- **Low** – Historic records indicate that the species has not been known to occupy the immediate vicinity of the Project area, and low quality habitat for the species exists onsite.
- **Absent** – Species is restricted to habitats not occurring within the Project area or is considered extirpated from the Project area.

Although not identified during the literature review due to no reported observations within 5 miles, low to moderately suitable habitat for the State Candidate Species flat-tailed horned lizard (*Phrynosoma mcallii*) is found throughout the Project area. These lizards typically inhabit sandy desert hardpan or gravel flats with scattered sparse vegetation of low native shrub species diversity. Isolated areas of fine, wind-blown sand within sparse desert scrub habitats provide low to moderate quality habitat for this species within the Project area. According to the California Herps website, observations occur in all directions surrounding the Project area, including contiguous lands (www.californiaherps.com/lizards/pages/p.mcallii.html, accessed August 2015). As such, this species has a low to moderate potential to occur within the Project area.

Also not identified during the literature review, but observed within the survey area, was the loggerhead shrike (*Lanius ludovicianus*). This species is a CDFW SSC (during nesting) and a USFWS Bird of Conservation Concern (BCC). The loggerhead shrike is a widely distributed species, but not common anywhere within its range. It tends to prefer open habitats with scattered large bushes or small trees, such as savannahs, sparse woodlands, and open deserts. This species is known to nest within 10 miles of the Project area, and was found present during the field surveys in habitats it is known to nest in. Therefore, it is considered present and has a high potential to nest onsite.

Table 3.4-1. Special Status Species Potentially Occurring within Project Area

Species Name	Status	Habitat Requirements	Potential for Occurrence
BIRDS			
Burrowing owl (burrow sites and some wintering sites) *Athene cunicularia*	Federal: **BCC** State: None CDFW: **SSC**	Shortgrass prairies, grasslands, lowland scrub, agricultural lands (particularly rangelands), coastal dunes, desert floors, and some artificial, open areas as a year-long resident. Occupies abandoned ground squirrel burrows as well as artificial structures such as culverts and underpasses.	**Moderate.** Suitable habitat is found in Project area, and this species is not uncommon in the Project vicinity.
California black rail *Laterallus jamaicensis coturniculus*	Federal: **BCC** State: **ST** CDFW: **FP**	Salt marshes, freshwater marshes, and wet meadows that serve for breeding, foraging and overwintering.	**Absent.** A few records exist 3 to 5 miles from Project area, but no suitable habitat occurs within Project area.
Mountain plover (wintering) *Charadrius montanus*	Federal: **BCC** State: None CDFW: **SSC**	Wintering habitats include desert flats and fallowed or plowed agricultural fields.	**Low.** Limited suitable habitat for wintering occurs in Project area.
Southwestern willow flycatcher (nesting) *Empidonax trailii extimus*	Federal: **FE** State: **SE** CDFW: None	Breeds in dense riparian tree and shrub communities associated with rivers, swamps, and wetlands, including lakes and reservoirs.	**Absent.** Suitable habitat does not occur within Project area.
Yellow warbler (nesting) *Setophaga petechia*	Federal: **BCC** State: None CDFW: **SSC**	Breeds in shrubby thickets and woods, particularly along watercourses and in wetlands.	**Absent.** Suitable habitat does not occur within Project area.
'Yuma' Ridgway's rail *Rallus obsoletus*	Federal: **FE** State: **ST** CDFW: **FP**	Emergent wetlands and brackish wetland areas often dominated by cattails and bulrush. May also occur within vegetated irrigation canals.	**Absent.** Suitable habitat does not occur within Project area.
FISH			
Razorback sucker *Xyrauchen texanus*	Federal: **FE** State: **SE** CDFW: **FP**	Typically associated with large rivers and found at depths of 4-10 feet. Adults prefer strong currents and backwaters.	**Absent.** Suitable habitat does not occur within Project area.
MAMMALS			
Couch's spadefoot toad *Scaphiopus couchii*	Federal: None State: None CDFW: **SSC**	Desert and arid regions of grassland, prairie, mesquite, creosote bush, thorn forest, and sandy washes.	**Low.** Limited suitable habitat occurs in Project area; known occurrences are within 5 miles.
Pocketed free-tailed bat *Nyctinomops femorosaccus*	Federal: None State: None CDFW: **SSC** WBWG: **M**	Inhabits semi-arid desert lands using day-roosts in caves, crevices in cliffs, and under the roof tiles of buildings.	**Moderate for foraging; Absent for roosting.** Limited suitable roosting habitat occurs within Project area; foraging bats may occasionally use Project area.
Western mastiff bat *Eumops perotis californicus*	Federal: None State: None CDFW: **SSC**	Large open areas of the desert southwest. Requires roosts with at least 20 feet of vertical drop in order to take	**High for foraging; Absent for roosting.** Suitable foraging

Table 3.4-1. Special Status Species Potentially Occurring within Project Area

Species Name	Status	Habitat Requirements	Potential for Occurrence
	WBWG: **H**	flight.	habitat exists within the Project area; roost sites are restricted to areas outside of the Project area.
Yuma hispid cotton rat *Sigmodon hispidus eremicus*	Federal: None State: None CDFW: **SSC**	Found along margins of watercourses in the region of the Colorado River and near the Salton Sea	**Absent.** Suitable habitat does not occur within Project area.
REPTILES & AMPHIBIANS			
Desert tortoise *Gopherus agassizii*	Federal: **FT** State: **ST**	Arid sandy or gravelly locations along riverbanks, washes, sandy dunes, alluvial fans, canyon bottoms, desert oases, rocky hillsides, creosote flats, and hillsides.	**Low.** Limited suitable habitat is found within the Project area, and there are no recent records, but this species is known to occur in contiguous surrounding habitat well to the north.
Lowland leopard frog *Lithobates yavapaiensis*	Federal: None State: None CDFW: **SSC**	Slackwater aquatic habitats dominated by bulrushes, cattails, and riparian grasses near or under an overstory of Fremont's cottonwoods and willows. Also documented in canals, roadside ditches, and ponds.	**Absent.** Suitable habitat does not occur within Project area. Species may be extirpated in California.
Sonoran Desert toad *Incilius alvarius*	Federal: None State: None CDFW: **SSC**	Inhabits grasslands, arid desert lowlands, mountain canyons with oaks and sycamores, and pinyon-oak-juniper mountain forests. Found in washes, river bottoms, springs, reservoirs, canals, irrigation ditches, streams temporary pools, and away from water.	**Absent.** Limited suitable habitat occurs within Project area; however, species may be extirpated in California.
PLANTS			
Glandular ditaxis *Ditaxis claryana*	Federal: None State: None CRPR: **2B.2**	Perennial herb that occurs in sandy soils of creosote bush scrub. Blooms Dec. – Mar. Elevation: 0-100 m.	**Moderate.** Suitable habitat is present within Project area.
Gravel milk-vetch *Astragalus sabulonum*	Federal: None State: None CRPR: **2B.2**	Annual herb that occurs in sandy or gravelly areas of the desert. Blooms Nov. – Apr. Elevation: -50-900 m.	**Moderate.** Suitable habitat is present within Project area.
Harwood's milk-vetch *Astragulus insularis* var. *harwoodii*	Federal: None State: None CRPR: **2B.2**	Annual herb that occurs in sandy or gravelly areas of the desert. Blooms Jan.- May. Elevation: 0-500 m.	**Moderate.** Suitable habitat is present within Project area.
Munz's cholla *Cylindropuntia munzii*	Federal: None State: None CRPR: **1B.3**	Perennial stem succulent that occurs in gravelly or sandy soils of washes and canyon walls in the Sonoran Desert and northern Baja California. Blooms Mar. – May. Elevation: 150-600 m.	**Low.** Limited suitable habitat is present within Project area.

The literature review resulted in a list of four sensitive plant species with the potential to occur within the Project area (see Table 3.4-1 above; a complete list of plant species observed is included in Appendix A, Environmental, Cultural, and Other Clearance Surveys). The field survey effort and habitat assessment was conducted outside of the typical blooming period for all sensitive plant species identified during the literature review. Suitable habitat and elevation ranges for each species were observed, but a focused survey effort was not conducted to determine the presence or absence of targeted sensitive plant species. However, Munz's cholla is a perennial stem succulent and would have been potentially observed during the field effort based on growth form. As such, this species is considered to have the potential to occur, albeit low. The remaining three species are herbaceous species unlikely to have been observed given the survey timing and extended drought occurring within Southern California. As such, these species are considered to have a moderate potential to occur.

Existing Conditions Analysis for Salvation Mountain and East Jesus Parcels

Salvation Mountain Parcel

Existing conditions within the proposed 160-acre Salvation Mountain parcel include occasional and scattered encampments generally associated with decommissioned facilities from U.S. Marine Corps (USMC) Camp Dunlap (see Section 2.3, Area Background/History). The Salvation Mountain structure occurs within the site and consists of a small, developed and disturbed area devoid of native plant communities. Evidence of human disturbances are prevalent throughout and include trash piles, dump sites, vehicle tracks, ammunition casing, art, and temporary structures. Natural vegetation communities occurring are generally sparse, absent in areas, and stunted by repeated vehicular traffic and off-highway vehicle (OHV) use. Topographically, the site is generally flat with soils consisting of fine to coarse sands and gravel. The Project occurs within the Imperial Fault Zone. Within the central portion of the site, a small bluff-like formation extends from a fault line from the desert floor to approximately 60 feet amsl, near Salvation Mountain and running northwest-southeast, separating the relatively flat terrains from lower elevations in the west to higher elevations in the eastern mesa. Previous land uses include a decommissioned water retention system, levees, and water tanks. Beal Road bisects the parcel running northeast and southwest. The northern section of the parcel is bisected by a series of braided washes composing a second wash that generally drains to the west and south towards Salton Sea.

East Jesus Parcel

The majority of the 30-acre East Jesus parcel is currently occupied by a small group of individuals several encampments within the site. Evidence of human disturbance includes trash piles, dump sites, vehicle tracks, ammunition casing, and temporary structures. Natural vegetation communities occurring within the East Jesus parcel are

generally sparse and, in some areas, stunted by repeated vehicular traffic. Topographically, the site is generally flat with soils consisting of fine to coarse sands. Previous land uses include a decommissioned section of Beal Road and levees. The northern section of the parcel is bisected by an un-named wash, which generally drains to the west towards Salton Sea. The area to the north of the unnamed wash is unoccupied by humans but is highly disturbed from vehicular activity.

The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. Any other uses and potential impacts are too speculative for evaluation.

3.4.2 Regulatory Setting

Federal and State laws and regulations pertaining to this issue area and relevant to the Project are identified in Table 3.4-2.

Table 3.4-2. Laws, Regulations, and Policies (Biological Resources)

U.S.	Endangered Species Act (FESA) (7 USC 136, 16 USC 1531 et seq.)	The FESA, which is administered in California by the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS), provides protection to species listed as threatened or endangered, or proposed for listing as threatened or endangered. Section 9 prohibits the "take" of any member of a listed species. • Take is defined as "...to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." • Harass is "an intentional or negligent act or omission that creates the likelihood of injury to a listed species by annoying it to such an extent as to significantly disrupt normal behavior patterns that include, but are not limited to, breeding, feeding, or sheltering." • Harm is defined as "...significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns such as breeding, feeding, or sheltering." When applicants are proposing projects with a Federal nexus that "may affect" a federally listed or proposed species, the Federal agency is required to consult with the USFWS or NMFS, as appropriate, under Section 7, which provides that each Federal agency must ensure that any actions authorized, funded, or carried out by the agency are not likely to jeopardize the continued existence of any endangered or threatened species or result in the destruction or adverse modification of areas determined to be critical habitat.
U.S.	Migratory Bird Treaty Act (MBTA) (16 USC 703-712)	The MBTA was enacted to ensure the protection of shared migratory bird resources. The MBTA prohibits the take, possession, import, export, transport, selling, purchase, barter, or offering for sale, purchase, or barter, of any migratory bird, their eggs, parts, and nests, except as authorized under a valid permit. The responsibilities of Federal agencies to protect migratory birds are set forth in Executive Order (EO) 13186. The USFWS is the lead agency for migratory birds. The USFWS issues permits for takes of migratory birds for activities such as scientific research, education, and depredation control, but does not issue permits for incidental take of migratory birds.
U.S.	Other	• The Bald and Golden Eagle Protection Act makes it illegal to import, export, take (including molest or disturb), sell, purchase or barter any bald eagle or golden eagle or parts thereof.

Table 3.4-2. Laws, Regulations, and Policies (Biological Resources)

		• Clean Water Act (33 USC 1251 et seq.) *(see Section 3.9, Hydrology and Water Quality).* Executive Order 13112 requires Federal agencies to use authorities to prevent introduction of invasive species, respond to and control invasions in a cost-effective and environmentally sound manner, and provide for restoration of native species and habitat conditions in invaded ecosystems.
CA	California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.)	The CESA provides for the protection of rare, threatened, and endangered plants and animals, as recognized by the California Department of Fish and Wildlife (CDFW), and prohibits the taking of such species without its authorization. Furthermore, the CESA provides protection for those species that are designated as candidates for threatened or endangered listings. Under the CESA, the CDFW has the responsibility for maintaining a list of threatened species and endangered species (Fish & G. Code, § 2070). The CDFW also maintains a list of candidate species, which are species that the CDFW has formally noticed as under review for addition to the threatened or endangered species lists. The CDFW also maintains lists of Species of Special Concern that serve as watch lists. Pursuant to the requirements of the CESA, an agency reviewing a proposed project within its jurisdiction must determine whether any State-listed endangered or threatened species may be present in the project site and determine whether the proposed project will have a potentially significant impact on such species. In addition, the CDFW encourages informal consultation on any proposed project that may affect a candidate species. The CESA also requires a permit to take a State-listed species through incidental or otherwise lawful activities (§ 2081, subd. (b)).
CA	Lake and Streambed Alteration Program (Fish & G. Code, §§ 1600-1616)	The CDFW regulates activities that would interfere with the natural flow of, or substantially alter, the channel, bed, or bank of a lake, river, or stream. These regulations require notification of the CDFW for lake or stream alteration activities. If, after notification is complete, the CDFW determines that the activity may substantially adversely affect an existing fish and wildlife resource, the CDFW has authority to issue a Streambed Alteration Agreement.
CA	Other relevant California Fish and Game Code sections	• The California Native Plant Protection Act (Fish & G. Code, § 1900 et seq.) is intended to preserve, protect, and enhance endangered or rare native plants in California. This Act includes provisions that prohibit the taking of listed rare or endangered plants from the wild and a salvage requirement for landowners. The Act directs the CDFW to establish criteria for determining what native plants are rare or endangered. Under section 1901, a species is endangered when its prospects for survival and reproduction are in immediate jeopardy from one or more causes. A species is rare when, although not threatened with immediate extinction, it is in such small numbers throughout its range that it may become endangered. • The California Species Preservation Act (Fish & G. Code, §§ 900-903) provides for the protection and enhancement of the amphibians, birds, fish, mammals, and reptiles of California. • Fish and Game Code sections 3503 & 3503.5 prohibit the taking and possession of native birds' nests and eggs from all forms of needless take. These regulations also provide that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nests or eggs of any such bird except as otherwise provided by this Code or any regulation adopted pursuant thereto. • Fish and Game Code sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), & 5515 (fish) designate certain species as "fully protected." Fully protected species, or parts thereof, may not be taken or possessed at any time without permission by the CDFW. • Fish and Game Code section 3513 does not include statutory or regulatory

Table 3.4-2. Laws, Regulations, and Policies (Biological Resources)

		mechanism for obtaining an incidental take permit for the loss of non-game, migratory birds.
CA	Porter-Cologne Water Quality Control Act	• Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.) *(See Section 3.9, Hydrology and Water Quality)*

There are no local goals, policies, and/or regulations applicable to this issue area.

3.4.3 Impact Analysis

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. The proposed sale of the School Lands parcels will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. The Project consists of the proposed sale of State-owned School Lands to private entities.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

No Impact. The proposed sale of the School Lands parcels will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS. The Project consists of the proposed sale of State-owned School Lands to private entities. There will not be any adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations effect to the parcels as a result of the proposed sale

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. The proposed sale of the School Lands parcels will not have a substantial adverse effect on federally protected wetlands as defined by Clean Water Act (CWA) Section 404 through direct removal, filling, hydrological interruption, or other means.

The Project consists of the proposed sale of State-owned School Lands to private entities. There will not be any substantial adverse effect on federally protected wetlands as defined by CWA Section 404 through any proposed physical changes. There are no recognized federally protected wetlands on the proposed sale sites.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

No Impact. The proposed sale of the School Lands parcels will not Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. The Project consists of the proposed sale of State-owned School Lands to private entities. There are no native resident or migratory fish or wildlife species with established native resident or migratory wildlife corridors within the proposed sale of the Project parcels.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The proposed sale of the School Lands parcels will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The Project consists of the proposed sale of State-owned School Lands to private entities. There are no conflicts with local ordinances or regulations protecting biological resources.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?

No Impact. The proposed sale of the School Lands parcels will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan.

3.4.4 Summary

Based upon the above considerations, no impacts to biological resources are expected to occur as a result of the proposed sale of School Lands.

3.5 CULTURAL AND PALEONTOLOGICAL RESOURCES

CULTURAL AND PALEONTOLOGICAL RESOURCES- Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Cause a substantial adverse change in the significance of a historical resource (as defined in State CEQA Guidelines, § 15064.5)?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource (pursuant to State CEQA Guidelines, § 15064.5)?	☐	☐	☐	☒
c) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code section 21074	☐	☐	☐	☒
d) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒
e) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒

3.5.1 Environmental Setting

The Project area is located in the central basin of the Colorado Desert, 2 miles east-northeast of Niland, Imperial County, within the Salton Trough (Salton Sink), a northwestern landward continuation of the rift that extends 140 miles northwest from the head of the Gulf of California. The Trough is traversed by the San Andreas Fault and bordered on the east by the Chocolate Mountains, which stretch more than 60 miles in a northwest to southeast direction and rise to an elevation of 2,475 feet asl. The Trough was formed by a gradual sinking of the land concurrent with uplift of the surrounding mountains during the Miocene, Pliocene, and Pleistocene eras. Much of the Salton Trough lies below sea level, and at its lowest elevation lies the Salton Sea, a 376-square mile saltwater lake located about 6 miles to the east of the Project area. Fault lines are located east of the Salton Sea.

Periodically in the past, when the Colorado River shifted its course and flowed north instead of south into the Gulf of California, the Salton Trough filled and formed a large freshwater lake called Lake Cahuilla. When the river diverted back to its original course, Lake Cahuilla would slowly evaporated and disappear. This cycle occurred countless times during the Pleistocene and Holocene. The last filling is thought to have been in the 1600s; and was the last of up to four cycles that may have occurred since A.D. 1000. When the lake finally disappeared, it left a dry, smooth, hard packed surface, or playa.

The Project area is situated between zero and 80 feet asl and contains fine-grained Colorado River sediments surrounded by locally derived coarse-grained alluvium and colluvium. Lake Cahuilla sediments and Holocene alluvial fan deposits are located within the Project area, and an old shoreline of Lake Cahuilla is located near the 40-foot contour line within the 160-acre Salvation Mountain parcel.

In the past, variations in elevation, temperature, and rainfall produced varied distributions of plants and animal resources that supported Native American populations who adapted to this type of resource distribution. Most Native American groups developed a complex and detailed knowledge of local plants and animals, and moved seasonally to take advantage of resources as they became available throughout the year. When water was present in Lake Cahuilla, several species of fish, shellfish, migratory aquatic birds, and riparian flora and fauna flourished, which attracted more permanent human settlement along its shores.

According to CEQA, cultural resources are aspects of the environment that require identification and assessment (Cal. Code Regs., tit. 14, § 15064.5 and Pub. Resources Code, § 21084.1).

Although the proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels, a qualified consultant was retained to inventory potentially significant cultural resources located within the 640-acre parcel and evaluate potential effects to those resources from the proposed sales.

The methods used to determine the presence or absence of potentially significant cultural resources included a record search and literature review of the entire 640-acre parcel and a field survey of the proposed 30-acre and 160-acre sale parcels. The study was based on specific guidelines regulating the implementation of CEQA, the principal statute mandating environmental assessment of projects in California, codified in the California Code of Regulations, Title 14, sections 15000 et seq. The cultural resources report followed the Archaeological Resource Management Reports (ARMR) Recommended Contents and Format (ARMR Guidelines) developed by the California Office of Historic Preservation (OHP) for the preparation of archaeological reports.

3.5.2 Surveys and Notifications

Records and Literature Search

A record search was conducted by the South Coastal Information Center (SCIC) of the California Historical Resources Information Systems (CHRIS). Records were reviewed by SCIC staff to identify any properties listed on the National Register, California Register and other listings located within a ½-mile radius of the Project area. Research

at the SCIC disclosed that three cultural resource studies have been conducted within the Project area, and two cultural resources were previously recorded within the 160-acre Salvation Mountain parcel. These resources include the remains of an airplane repair shop (P-13-003181) and a reinforced concrete building that was the main gate guard post (P-13-003182) associated with Camp Dunlap, a USMC base active during World War II (see Section 2.3.1, Camp Dunlap).

Pre-field research included a literature review of prehistoric and historic themes for the Project area, including a review of prior archaeological research and pertinent published and unpublished literature and historic maps and other documents on file at the Imperial Valley Desert Museum and Information Center in Ocotillo, California. A paleontological records search was also conducted to determine if previously recorded fossil localities, or fossiliferous geologic units known to contain fossils, are present in the Project area. Geologic maps and available published and unpublished geological and paleontological literature covering the bedrock and surficial geology and paleontology of the Project area and surrounding area were reviewed to determine the exposed and subsurface rock units that are present, to assess the potential paleontological productivity of each rock unit, and to delineate their respective areal distribution in respect to the Project area. This research identified the geologic units, previous paleontological studies, fossil localities (i.e., locations at which paleontological resources have been documented), and types of fossils in geologic units that may be within or adjacent to the Project area. An online fossil locality search was conducted, using the San Diego Natural History Museum (SDNHM) online fossil database. The records search was supplemented with an online fossil locality search, using the University of California Museum of Paleontology (UCMP) Berkeley online fossil database.

After completing the previously described tasks, each geologic unit exposed within or near the Project area was assigned a paleontological sensitivity based on the number of previously recorded fossil sites it contains and the scientific importance of the fossil remains recorded. These methods are consistent with Society of Vertebrate Paleontology (SVP) (1995) criteria and guidelines for assessment and mitigation of adverse impacts to paleontological resources in areas of potential environmental effect and areas of critical environmental concern.

Field Survey

The proposed 30-acre East Jesus and 160-acre Salvation Mountain parcels were surveyed between August 18 and 20, 2015, by archaeologists cross-trained in the identification of paleontological resources. The purpose of the field survey was to re-identify previously recorded cultural resources within the proposed parcels (P-13-003181 and P-13-003182), and to look for additional cultural resources and paleontological resources that may be present. The Project area was systematically surveyed using 10-meter transects. Linear, zigzag and meandering transects were

employed in order to avoid occupied areas, sculptures, and other artwork located in the survey corridor. A GeoXH 2008 model Trimble Global Positioning Satellite (GPS) device was used to collect locational information for potentially significant cultural resources, isolated artifacts and paleontological resources observed during the field survey.

California Department of Parks and Recreation (DPR) 523 forms were completed for potentially significant prehistoric or historic-era objects, features, sites or isolated artifacts that were identified during the field survey. The archaeologists photographed the survey areas, as well as cultural and paleontological resources that were observed.

Native American Outreach

The Native American Heritage Commission (NAHC) was contacted with a request to conduct a Sacred Land inventory to determine if any Native American Sacred Sites are located within or near to the Project area. The NAHC responded on September 1, 2015, with negative results and also identified 20 organizations and individuals to contact for further information because the absence of specific site information in the Sacred Lands File does not indicate the absence of Native American cultural resources in the Project area. On September 1, 2015, the CSLC staff sent notifications to each individual and organization on the NAHC contact list to solicit further information about Native American resources within, or near to, the Project area. A copy of the letter and a table of the individuals and tribal leaders identified by the NAHC are located in Appendix A.

Two responses were received. Judy Stapp, Director of Cultural Affairs for the Cabazon Band of Mission Indians, responded that the project location lies outside of the Tribe's current reservation boundaries but within an area that may be considered a traditional use area, and that the Tribe did not have specific archival information on the site indicating that it may be a sacred/religious site or other site of Native American traditional cultural value. The Tribe requested continued collaboration in the preservation of cultural resources or areas of traditional cultural importance. Mary L. Resvaloso, Interim Tribal Administrator for the Torres Martinez Desert Cahuilla Indians (TMDCI) responded that its Tribe's main concern is the potential for inadvertent discovery of human remains within the project area, and requested further review of records, assessments, or other documentation related to cultural and sacred sites and traditional cultural property, follow-up consultation following the review, and participation of tribal cultural resource monitor(s) if any subsequent archaeological field survey of the project area was conducted.

No construction or additional field surveys are proposed as part of the Project. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. Any other uses and potential impacts are too speculative for evaluation. The CSLC's Tribal Liaison will coordinate with the tribal representatives for a meeting if requested.

Results and Findings

The record search identified the presence of two previously recorded historic-era resources within the Salvation Mountain Project area (P-13-003181 and P-13-003182) that are associated with the former military base, Camp Dunlap. The field survey resulted in the identification of 10 additional cultural resources (EDS-01, EDS-02, EDS-03, EDS-04, EDS-05, EDS-06, EDS-07, EDS-08, EDS-10 and EDS-11), and confirmed the location of P-13-03182. The survey also confirmed that P-13-003181, the airplane repair building, is no longer present. DPR 523 forms were prepared for the newly identified cultural resources (EDS-01, EDS-02, EDS-03, EDS-04, EDS-05, EDS-06, EDS-07, EDS-08, EDS-10 and EDS-11), and were updated for P-13-003182 (EDS-13). No prehistoric resources or Native American Sacred Sites were identified within the Project area. Table 3.5-1 provides a list of cultural resources identified in the Project area.

Table 3.5-1. Cultural Resources Identified Within Project Area

Number	Description	Age	Association/Theme	Location
P-13-003182 (EDS-13)	Guard Post Building	1942	Camp Dunlap/Military	Salvation Mountain
EDS-01	Levee	>50 years	Unknown without further research. Associated with irrigation or Camp Dunlap	East Jesus
EDS-02 (part of P-13-0011464)	Niland-Blythe Road	1860s	Transportation	East Jesus, Salvation Mountain
EDS-03	Levee	>50 years	Unknown without further research. Associated with irrigation or Camp Dunlap	Salvation Mountain
EDS-04	Historic Isolate	1942	Camp Dunlap/Military	Salvation Mountain
EDS-05	Water Retention Basin	1942	Camp Dunlap/Military	Salvation Mountain
EDS-06	Wastewater Treatment Facility	1942	Camp Dunlap/Military	Salvation Mountain
EDS-07	Can Scatter	1942	Camp Dunlap/Military	Salvation Mountain
EDS-08	Fence Remnants	1942	Camp Dunlap/Military	Salvation Mountain
EDS-10	Water Tanks/basin	1942	Camp Dunlap/Military	Salvation Mountain
EDS-11	Historic Isolate	1942	Camp Dunlap/Military	Salvation Mountain

Salvation Mountain and East Jesus themselves are modern folk art sites. Although these cultural resources are points of interest, they do not meet the age criteria to be eligible for inclusion in the California Register of Historical Resources. The original Salvation Mountain constructed in the 1980s collapsed in 1990 and has since been rebuilt. Several art installations at the East Jesus site have incorporated historic and

modern cans, modern bottles, and other historic artifacts. Although some of these artifacts may be over 45 years in age, their origin is unknown, and they have lost their provenance. Therefore, they are not considered potentially significant cultural resources (pp. 39-40, Evans & De Shazo).

Cultural resources P-13-003182 (EDS-13), EDS-04, EDS-05, EDS-06, EDS-07, EDS-08, EDS-10 and EDS-11 are associated with the former Camp Dunlap, a World War II USMC training base from 1942 through 1945. The base was 631 acres in size and consisted of 65 buildings, a water treatment system, water and electrical distribution system, sewage collection and treatment system, over 8.2 miles of paved streets, recreational areas and concrete fuel tanks (see Section 2.3.1, Camp Dunlap).

The levees (EDS-01 and EDS-03) may also be associated with improvements to Camp Dunlap, built as flood control levees; however, they may also be associated with the East Highline Canal, located 0.53 mile to the southwest of the 640-acre parcel. The East Highline Canal is recorded as P-13-008333 and was constructed in 1914 to provide irrigation for agricultural purposes. Similar to the old Coachella Canal, water diversion levees or berms were constructed near the canals that functioned to divert water runoff towards the canal.

EDS-02 is a section of Beal Road that bisects both Project areas and appears to be an extension of P-13-011464, the circa 1860s transportation route that stretched between Niland-Blythe.

Quaternary (Holocene) lacustrine (lake) deposits (Ql) that are Lake Cahuilla sediments, cover a high percentage of the Project area and possess a High (Class 4) paleontological resource sensitivity (potential) for fossil remains that are significant and unique because the fossils and sediments can provide important paleoclimatic, paleoecological, and paleontological data and information. The Quaternary Holocene alluvial deposits (Qal) such as Holocene alluvial fan, slope wash, and alluvium, are considered Low (Class 2) paleontological sensitivity.

Six locations having paleontological (fossil shell) resources were identified within the 160-acre Salvation Mountain parcel during the reconnaissance survey. Scatters of fossil freshwater mussel shell (possibly *Anodonta dejecta*) and oyster shell were recorded on the surface at 0-60 foot amsl. The disarticulated, weathered, and fragmented shell was observed in highly disturbed and secondary context, and appears to originate from disturbance of Holocene Lake Cahuilla sediments (Ql). The high level of surface ground disturbance has obscured the presence of intact sediments and *in-situ* fossils. The dominance of disarticulated and weathered shells recorded on the surface indicate that the shells are not *in-situ*, and have been displaced by disturbance created by water movement and mechanized impacts. Due to the poor condition and *ex-situ* context of the shells, none was collected during the survey. The shell was recorded and

photographed, and the locations recorded. No paleontological resources were observed in the 30-acre East Jesus Project area.

3.5.3 Regulatory Setting

Federal and State laws and regulations pertaining to this issue area and relevant to the Project are identified in Table 3.5-2.

Table 3.5-2. Laws, Regulations, and Policies (Cultural Resources)

U.S.	Archaeological and Historic Preservation Act (AHPA)	The AHPA provides for the preservation of historical and archaeological data that might be irreparably lost or destroyed as a result of (1) flooding, the building of access roads, the erection of workmen's communities, the relocation of railroads and highways, and other alterations of terrain caused by the construction of a dam by an agency of the U.S. or by any private person or corporation holding a license issued by any such agency; or (2) any alteration of the terrain caused as a result of a Federal construction project or federally licensed project, activity, or program. This Act requires Federal agencies to notify the Secretary of the Interior when they find that any federally permitted activity or program may cause irreparable loss or destruction of significant scientific, prehistoric, historical, or archaeological data. The AHPA built upon the national policy, set out in the Historic Sites Act of 1935, "...to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance...."
U.S.	Archaeological Resources Protection Act (ARPA)	The ARPA states that archaeological resources on public or Indian lands are an accessible and irreplaceable part of the nation's heritage and: • Establishes protection for archaeological resources to prevent loss and destruction due to uncontrolled excavations and pillaging; • Encourages increased cooperation and exchange of information between government authorities, the professional archaeological community, and private individuals having collections of archaeological resources prior to the enactment of this Act; • Establishes permit procedures to permit excavation or removal of archaeological resources (and associated activities) located on public or Indian land; and • Defines excavation, removal, damage, or other alteration or defacing of archaeological resources as a "prohibited act" and provides for criminal and monetary rewards to be paid to individuals furnishing information leading to the finding of a civil violation or conviction of a criminal violator. ARPA has both enforcement and permitting components. The enforcement provision provides for the imposition of both criminal and civil penalties against violators of the Act. The ARPA's permitting component allows for recovery of certain artifacts consistent with the standards and requirements of the National Park Service (NPS) Federal Archeology Program.
U.S.	National Historic Preservation Act (NHPA) (16 USC 470 et seq.)	This applies only to Federal undertakings. Archaeological resources are protected through the NHPA, as amended, and its implementing regulation, Protection of Historic Properties (36 CFR 800), the AHPA, and the ARPA. This Act presents a general policy of supporting and encouraging the preservation of prehistoric and historic resources for present and future generations by directing Federal agencies to assume responsibility for considering the historic resources in their activities. The State implements the NHPA through its statewide comprehensive cultural resource surveys and preservation programs. The California Office of Historic Preservation (OHP), within the California Department of Parks and Recreation, implements the policies of the NHPA on a

Table 3.5-2. Laws, Regulations, and Policies (Cultural Resources)

		statewide level and advises Federal agencies regarding potential effects on historic properties. The OHP also maintains the California Historic Resources Inventory. The State Historic Preservation Officer (SHPO) is an appointed official who implements historic preservation programs within the State's jurisdictions, including commenting on Federal undertakings.
CA	CEQA (Pub. Resources Code, § 21000 et seq.)	As the CEQA lead agency, the CSLC is responsible for complying with all provisions of the CEQA and State CEQA Guidelines that relate to "historical resources." A historical resource includes: (1) a resource listed in, or eligible for listing in, the California Register of Historic Resources (CRHR); (2) a resource included in a local register of historical or identified as significant in an historical resource surveys; and (3) any resource that a lead agency determines to be historically significant for the purposes of CEQA, when supported by substantial evidence in light of the whole record. The CRHR was created to identify resources deemed worthy of preservation on a State level and was modeled closely after the National Register. The criteria, which are nearly identical to those of the National Register but focus on resources of statewide significance (see State CEQA Guidelines, § 15064.5, subd. (a)(3)), are defined as any resource that meets any of the following criteria: (1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage; (2) Is associated with lives of persons important in our past; (3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or (4) Has yielded, or may be likely to yield, information important in prehistory or history. Properties listed, or formally designated as eligible for listing, on the National Register are automatically listed on the CRHR, as are certain State Landmarks and Points of Interest. A lead agency is not precluded from determining that the resource may be an historical resource as defined in Public Resources Code sections 5020.1, subdivision (j), or 5024.1 (State CEQA Guidelines, § 15064.5, subd. (a)(4)).
CA	Assembly Bill (AB) 52 (Gatto, Stats. 2014, Ch. 532)	AB 52 (effective July 1, 2015) adds sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3 to CEQA, relating to consultation with California Native American tribes, consideration of tribal cultural resources, and confidentiality. The definition of tribal cultural resources considers tribal cultural values in addition to scientific and archaeological values when determining impacts and mitigation. AB 52 provides procedural and substantive requirements for lead agency consultation with California Native American tribes and consideration of effects on tribal cultural resources, as well as examples of mitigation measures to avoid or minimize impacts to tribal cultural resources. AB 52 establishes that if a project may cause a substantial adverse change in the significance of a tribal cultural resource, that project may have a significant effect on the environment. Lead agencies must avoid damaging effects to tribal cultural resources, when feasible, and shall keep information submitted by tribes confidential.
CA	Health and Safety Code section 7050.5	This code states that if human remains are exposed during construction, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code section 5097.998. The Coroner has 24 hours to notify the Native American Heritage Commission (NAHC) if the remains are determined to be of Native American descent. The NAHC will contact most likely descendants, who may recommend how to proceed.

At the local level, goals, policies, and/or regulations applicable to this issue area are listed in the Conservation and Open Space Element of Imperial County's General Plan, which provides detailed plans and measures for the preservation and management of cultural resources (Imperial County's General Plan includes paleontological resources as a sub-category of cultural resources). The goals and objectives outlined in the Conservation/Open Space Element pertaining to cultural resources state:

- **Goal 3:** Important prehistoric and historic resources shall be preserved to advance scientific knowledge and maintain the traditional historic element of the Imperial Valley landscape.
    - **Objective 3.1** Protect and preserve sites of archaeological, ecological, historical and scientific value, and/or cultural significance.

Imperial County's policy is to identify and document significant historic and prehistoric resources, preserve representative and worthy examples, recognize the value of historic and prehistoric resources, and assess current and proposed land uses for impacts upon these resources. County program elements include:

- Use the environmental impact report (EIR) process to conserve cultural resources. Public awareness of cultural heritage will be stressed. All information and artifactual resources recovered in this process will be stored in an appropriate institution and made available for public exhibit and scientific review.
- Encourage the use of open space easements in the conservation of high value cultural resources.
- Consider measures which would provide incentives to report archeological discoveries immediately to the Imperial Valley College - Baker Museum.
- Coordinate with appropriate federal, State, and local agencies to provide adequate maps identifying cultural resource locations for use during development review. Newly discovered archeological resources shall be added to the "Sensitivity Map for Cultural Resources."
- Discourage vandalism of cultural resources and excavation by persons other than qualified archaeologists….

3.5.4 Impact Analysis

a) Cause a substantial adverse change in the significance of a historical resource (as defined in State CEQA Guidelines, § 15064.5)?

No Impact. A historical background review and survey of the Project area identified nine cultural resources within the Project area that may be eligible for listing in the California Register. These cultural resources include two levees (EDS-01, EDS-03), a segment of Beal Road that may be part of the old Niland-Blythe Road (P-13-011464),

and seven resources associated with the former World War II-era Camp Dunlap, including structures associated with the wastewater treatment facility (EDS-05, EDS-06), water tanks (EDS-10), posts from a former fence line (EDS-08), the former entrance guard post building (P-13-003182), and a can scatter (EDS-07). Although these are potentially significant cultural resources, the Project does not include any ground-disturbing or other activities that could cause any significant direct or indirect impact to these resources. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. Any other uses and potential impacts are too speculative for evaluation.

b) Cause a substantial adverse change in the significance of an archaeological resource (pursuant to State CEQA Guidelines, § 15064.5)?

No Impact. One archaeological site was identified within the Salvation Mountain parcel, EDS-07 (a can scatter). No unique archaeological resources, as defined in Public Resources Code section 21083.2, were identified within the Project area. The proposed sale of the Salvation Mountain parcel does not include any ground-disturbing or other activities that could cause a substantial adverse change in the significance of this resource. Furthermore, the proposed sale of the School Lands parcels does not include any ground-disturbing, construction, or other activities that have the potential to encounter any buried archaeological resources. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. Any other uses and potential impacts are too speculative for evaluation.

c) Cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code section 21074?

No Impact. Responses to CSLC staff notifications to tribes with potential cultural affiliation did not indicate that any sacred/religious site or other site of Native American traditional cultural values were present in the Project area. Because the proposed sale of the School Lands parcels does not include any ground-disturbing, construction, or related activities, the Project will not cause any change in the significance of any tribal cultural resource.

d) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No Impact. The results of the records search and field survey indicate that although the Salvation Mountain Project area is dominated by High (Class 4) paleontologically sensitive Lake Cahuilla sediments, the high level of surface ground disturbance has obscured the presence of intact sediments and in-situ fossils. The dominance of

disarticulated and weathered shells recorded on the surface of the parcels indicate that the shells are not in-situ, and have been displaced by water movement and mechanized impacts. Regardless, it is possible that intact fossiliferous Lake Cahuilla deposits may be encountered at an unknown depth within the Project area, depending on the level of natural (erosion and/or deposition) processes or human land modification (disturbance). The proposed sale of the 160-acre (Salvation Mountain) and 30-acre (East Jesus) parcels do not include any ground-disturbing, construction, or other activities that could cause fossiliferous Lake Cahuilla deposits to be encountered. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. Any other uses and potential impacts are too speculative for evaluation.

e) Disturb any human remains, including those interred outside of formal cemeteries?

No Impact. A historical background review and field survey of the Project area did not identify any human remains, or the potential for human remains to be present within the Project area. Furthermore, the Project does not include any ground-disturbing activities that have the potential to encounter buried human remains. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. Any other uses and potential impacts are too speculative for evaluation.

3.5.5 Summary

The potential sale of School Lands will not impact EDS-01, EDS-02, EDS-03, EDS-04, EDS-05, EDS-06, EDS-07, EDS-08, EDS-10, EDS-011, or P-13-003182, or any known prehistoric resources or Native American Sacred Sites, since the Project does not include any ground-disturbing or other activities that could directly or indirectly impact these resources. Based upon the above considerations, no impacts to cultural resources, including tribal cultural resources, or paleontological resources are expected to occur as a result of the proposed School Lands sale.

3.6 GEOLOGY AND SOILS

GEOLOGY AND SOILS – Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☐	☒
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☐	☒
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

3.6.1 Environmental Setting

Geology and Topography

The Project area is located in the Imperial Valley, a part of the Salton Trough in the Colorado Desert physiographic province of California. With surface elevations as low as 270 feet below sea level, the Salton Trough formed as a structural depression resulting from tectonic boundary adjustment between the Pacific and the North American plates. The Salton Trough is bounded on the east and northeast by the San Andreas Fault and on the west by the San Jacinto fault zone. The trough is filled with more than 15,000 feet of Miocene and younger, marine and non-marine sediments capped by

approximately 100 feet of Pleistocene and later lacustrine deposits that have been deposited by intermittent filling of the ancient fresh-water Lake Cahuilla.

According to the Geologic Map of California: Salton Sea Sheet (Jennings 1967), two geologic units are mapped within the Project area. The units consist of Quaternary (Holocene) alluvium (Qal), inter-fingered (over-lapping) with Quaternary (Holocene) lacustrine (lake) deposits (Ql). The Qal Holocene alluvium consists of unconsolidated clay, silt, sand, and gravel, occurring primarily as alluvial fan and stream wash deposits that are dominant above the 12-meter (40-foot) elevation. The Ql Holocene lake deposits are described as tan and gray fossiliferous clay, silt, sand, and gravel sediments of ancient Lake Cahuilla, and associated beach and playa lake deposits that are dominant at and below the approximately 12-meter (40-foot) elevation level. The Qal and Ql deposits are over-lapping within the Project area, and the Qal deposits extend below (southwest of) the 12-meter (40-foot) contour elevation in drainage channels. The geologic maps show that the paleo-shoreline of Lake Cahuilla rests at approximately 12-meter (40-foot) elevation, and is present within the Salvation Mountain Project area as a distinct escarpment. Lake Cahuilla sediments were deposited below this elevation during the early to late Holocene.

Soils

According to the Soil Survey of Imperial County (U.S. Department of Agriculture, Soil Conservation Service 1981), the soil types that occur within the Project area include Rositas fine sand, wet, 0-2 percent slopes, and Vint and Indio very fine sandy loams, wet. Rositas soil is very deep, nearly level, and located on flood plains and in alluvial basin floors. Rositas soil originated from eolian and alluvial sediments of mixed origin. It is typically reddish-yellow colored fine sand to a depth of 60 inches or more. The soil is nonsaline or slightly saline throughout. Permeability is rapid, surface runoff is slow, and the hazard of erosion is slight. Irrigation or seepage causes a perched water table at a depth of 36 to 60 inches, and can rise to a depth of 18 inches during periods of heavy irrigation. Limitations for septic tank absorption fields are a high water table and possible ground water contamination from septic tank effluent.

Vint and Indio very fine sandy loam is an undifferentiated unit consisting of deep, nearly level soils on the bed of ancient Lake Cahuilla. Vint very fine sandy loam formed in alluvial and eolian sediments from diverse sources. The surface layer is typically light brown colored, very fine sandy loam, about 10 inches thick. This is underlain by stratified light brown and pink colored, loamy, fine sand that has thin lenses of silt loam to a depth of 40 inches. From 40 to 60 inches, the soil is pinkish gray and light brown colored silty clay. Vint soil is nonsaline to moderately saline, and has moderately rapid permeability to a depth of 40 inches. Below this depth, the soil is slightly saline, and has low permeability. Surface runoff is slow, and the hazard of erosion is slight.

Indio very fine sandy loam was formed in alluvial and eolian sediments originating from diverse sources, and is a very deep soil. The surface layer is typically light brown colored, very fine, sandy loam about 12 inches thick. This is underlain by stratified light brown and pink colored silt loam and very fine sandy loam to a depth of 40 inches. From 40 to 60 inches, the soil is pinkish gray and light brown colored silty clay. The soil is nonsaline and has moderate permeability to a depth of about 40 inches, and is slightly saline with slow permeability below that. Surface runoff is slow, and the hazard of erosion is slight.

Vint and Indio very fine sandy loam has a perched water table at a depth of 36 to 60 inches, due to irrigation or seepage, which can rise to a depth of 18 inches during periods of heavy irrigation. Limitations for septic tank absorption fields are a high water table and slow permeability in the clayey substratum.

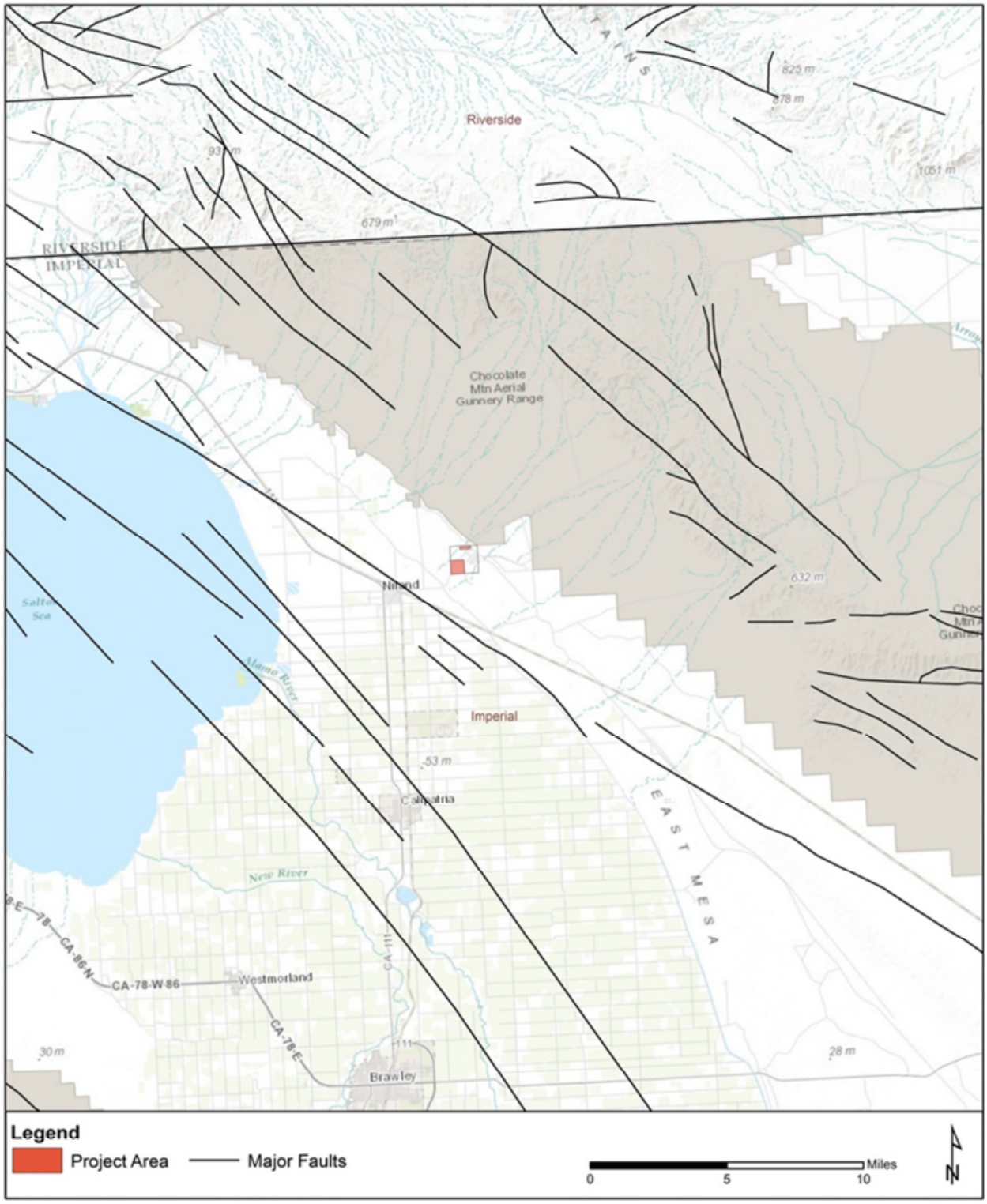
Faults and Seismicity

Much of the western United States is within a region that has moderate to intense seismicity related to tectonic plate movement. The most active regions in California are related to the San Andres Fault system that occurs within Imperial County (Figure 3.6-1). Imperial County has nine fault zones, primarily northwest-trending, including the San Andres, Imperial, Algodones Sand Dunes, Calipatria, Boundary, Superstition Hills, Superstition Mountain, Laguna Salada, and Elsinore. (Imperial and Superstition Hills faults comprise the San Jacinto fault zone). The most significant fault in Imperial County is the San Andres fault, which is quite active in the region. A greater amount of small to moderately sized earthquakes have Greater amounts of small to moderately sized earthquakes have occurred within Imperial County than along any other section of the San Andreas Fault System. During the current century, Imperial County has experienced eleven earthquakes of magnitude 6.0 or greater on the Richter scale, with the strongest being a magnitude of 7.2 in 2010. Furthermore, the deep, sediment-filled geologic structure of the Salton Trough makes the area particularly susceptible to severe seismic hazards such as ground shaking, surface ruptures, liquefaction, and landslides (Imperial County Multi-Jurisdictional Hazard Mitigation Plan Update 2013).

Surface Ruptures

Under the Alquist-Priolo Earthquake Fault Zoning Act, Earthquake Fault Zones were established by the California Division of Mines and Geology along "active" faults, or faults that have a potential for surface ruptures. Surface ruptures occur when movement on a fault deep within the earth breaks through to the surface. The Alquist-Priolo Earthquake Fault Zoning Act requires the State Geologist to establish regulatory zones, known as Earthquake Fault Zones, around the surface traces of active faults and to issue appropriate maps (Earthquake Fault Zones maps).

Figure 3.6-1. Major Faults in the Project Vicinity



The Alquist-Priolo Earthquake Fault Zoning Act only addresses the hazard of surface fault ruptures and is not directed toward other earthquake hazards. Based on the Fault Activity Map of California (Department of Conservation 2010), faults in the Project vicinity are considered active. However, no fault structures are mapped within or adjacent to the Project area, so surface rupture hazards within the Project area are low.

Ground Shaking

Ground movement intensity during an earthquake is related to the overall magnitude of the quake, distance to the fault, depth of quake and focus of earthquake energy. Due to the presence of active faults in the area, one of the seismic hazards most likely to impact the Project area is ground shaking resulting from an earthquake on a major active fault in the vicinity.

Liquefaction

The type of soil within an area also plays a role in the intensity of ground shaking during an earthquake. For example, bedrock, or other dense or consolidated materials, are less prone to intense movement than soils such as alluvium. Liquefaction is a transformation of the soil from a solid to a liquefied state during which saturated soil temporarily loses strength due to the buildup of excess pore water pressure, especially during an earthquake. It occurs primarily in saturated, loose, fine-to medium-grained sands, and most commonly occurs in areas where the groundwater table is less than 10 to 30 feet below the ground surface. Four conditions can cause liquefaction to occur: 1) relatively shallow groundwater (high water table) with the potential to saturate the soil; 2) loosely packed soil (low to medium relative density); 3) unconsolidated soil (not clayey); and, 4) ground shaking of sufficient intensity must occur to function as a trigger mechanism. All these conditions exist at some degree at within the Project area.

Landslides

Landslides are caused by slopes becoming unstable and collapsing. Landsliding or slope instability may be caused by natural factors such as fractured or weak bedrock, heavy rainfall, erosion, earthquake activity, and fire, as well as by human modification of the land and water table. The Project area is relatively flat with no steep topography, and therefore the hazard of landslides is slight.

Soil Erosion

Erosion is the wearing away of soil and rock by natural and human induced processes such as mechanical or chemical weathering, mass wasting, and the action of waves, wind and water. Excessive soil erosion can eventually lead to damage of buildings and roadways. Areas in Imperial County that are most susceptible to natural erosion are the

Algondones Sand dunes paralleling the East Mesa and Superstition Mountain, and the Chocolate, Picacho, Cargo Muchacho, and Coast Range Mountains. The remainder of the County, including the Project area, is generally flat and experiences low levels of natural soil erosion.

Expansive Soil

Expansive soils display a shrink-swell behavior, which is a cyclic change in volume (expansion and contraction) caused by the process of wetting and drying that occurs in certain fine-grained clay sediments. The higher the percentage of expansive minerals present in near surface soils, the greater potential for significant expansion. Fine-textured soils have a tendency to expand as the amount of moisture increases and to contract as moisture decreases. Coarse-textured soils, such as sand and loamy sand, are quite stable during both dry and wet conditions. Expansive soils can exert enough force on a building or other structure to eventually cause structural damage. Deposits that underlie the Project site include fine grained sand and sandy loams that are underlain by silty clay from 40 to 60 inches below the surface in some areas; and overall are stable with a low expansion potential.

3.6.2 Regulatory Setting

Federal and State laws and regulations pertaining to this issue area and relevant to the Project are identified in Table 3.6-1.

Table 3.6-1. Laws, Regulations, and Policies (Geology and Soils)

CA	Alquist-Priolo Earthquake Fault Zoning Act (Pub. Resources Code, §§ 2621-2630)	This Act requires that "sufficiently active" and "well-defined" earthquake fault zones be delineated by the State Geologist and prohibits locating structures for human occupancy across the trace of an active fault.
	California Building Code (Cal. Code Regs., tit. 23)	This code contains requirements related to excavation, grading, and construction of pipelines alongside existing structures. A grading permit is required if more than 50 cubic yards of soil are moved. Sections 3301.2 and 3301.3 contain provisions requiring protection of adjacent properties during excavations and require a 10-day written notice and access agreements with adjacent property owners.
	California Seismic Hazards Mapping Act (Pub. Resources Code, § 2690 and following as Division 2, Chapter 7.8)	This Act and the Seismic Hazards Mapping Regulations (Cal. Code Regs., tit. 14, Div. 2, Ch. 8, Art. 10) are designed to protect the public from the effects of strong ground shaking, liquefaction, landslides, other ground failures, or other hazards caused by earthquakes. The Act requires that site-specific geotechnical investigations be conducted identifying the hazard and formulating mitigation measures prior to permitting most developments designed for human occupancy. Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards in California* (California Geological Survey 2008), constitutes guidelines for evaluating seismic hazards other than surface fault rupture and for recommending mitigation measures as required by section 2695, subdivision (a).

At the local level, the Seismic and Public Safety Element of the Imperial County General identifies potential natural and human-induced hazards and provides policy to avoid or minimize the risk associated with hazards. Imperial County's General Plan policies related to geology, soils, and seismicity are listed below.

- Implement codified ordinances and procedures which require the review and restriction of land use due to possible natural hazards.
- Monitor, evaluate, and analyze existing seismic and geological data as it pertains to Imperial County to determine future regulations and programs.
- Implement the geologic hazards section of the County's Codified Ordinances pursuant to the requirements of the Alquist-Priolo Geologic Hazards Zone Act.
- Ensure that no structure for human occupancy, other than one-story wood frame structures, shall be permitted within fifty feet of an active fault trace as designated on maps compiled by the State Geologist under the Alquist-Priolo Geologist Hazards Zone Act.
- The County should require suppliers of all existing utilities which cross active faults to file with the County an operation plan describing the probable effects of failures at the fault and the various emergency facilities and procedures which exist to assure that failure does not threaten public safety.
- Ensure that proposed highway construction which falls within an Alquist-Priolo Act Special Studies Zone shall be reviewed to ensure that grade-separated interchange structures are not located on or near an active fault.
- Periodically update maps of existing faults, slide areas, and other geographically unstable areas in the unincorporated area of the County.
- Support the safety awareness efforts of the Office of Emergency Services of Imperial County and other agencies through public information and educational activities.
- Continue to implement the Alquist-Priolo requirements in designated special study zones in the Imperial County Ordinance.

3.6.3 Impact Analysis

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

No Impact. Based on the Fault Activity Map of California (Department of Conservation 2010, http://maps.conservation.ca.gov/cgs/fam/), no fault structures are mapped within or adjacent to the Project area. Furthermore, the proposed sale of School Lands does not include any construction or modification of existing conditions that could subject buildings, structures or people to surface ruptures.

ii) Strong seismic ground shaking?

No Impact. The Project area is located within a seismically active region that is well known for active faulting and historic seismicity. Consequently, the Project area is periodically subjected to seismic shaking and strong ground movement resulting from seismic activity along local and more distant active faults. The proposed sale of School Lands does not include any construction or modification of existing conditions that could subject buildings, structures or people to strong ground shaking.

iii) Seismic-related ground failure, including liquefaction?

No Impact. The Project area contains loosely packed, unconsolidated soil with low to medium density and a high water table; and these are conditions that create the potential for liquefaction within the Project area should ground shaking of sufficient intensity occur. However, the proposed sale of School Lands does not include any construction or modification of existing conditions that could subject buildings, structures or people to the hazard of liquefaction during an earthquake.

iv) Landslides?

No Impact. The Project area is relatively flat with no steep topography; therefore the hazard of landslides is unlikely. Furthermore, the proposed sale of School Lands does not include any construction or modification of existing conditions that could subject buildings, structures or people to land sliding.

b) Result in substantial soil erosion or the loss of topsoil?

No Impact. The proposed sale of School Lands does not include any construction or modification of existing conditions; therefore, there is no potential to cause soil erosion, or loss of topsoil resulting from the Project.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

No Impact. The proposed sale of School Lands does not include ground-disturbance, construction, or modification of existing conditions. Therefore, there is no potential for

building on a geological unit or soil that is unstable and that could result in a landslide, lateral spreading, subsidence, liquefaction or collapse.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

No Impact. The soil types within the Project area have a low expansion potential. Furthermore, the proposed sale of School Lands does not include any construction or modification of existing conditions that could subject buildings, structures or people to hazards resulting from soil expansion.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. The Project area contains soil types that have limitations for septic tank absorption fields, including a high water table and slow permeability in some areas. However, the proposed sale of School Lands does not include any construction or modification of existing conditions or propose the installation of septic tanks or alternative wastewater disposal systems.

3.6.4 Summary

Based upon the above considerations, no impacts to geology and soils are expected to occur as a result of the proposed sale of School Lands.

3.7 GREENHOUSE GAS EMISSIONS

GREENHOUSE GAS EMISSIONS –Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☐	☒
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

3.7.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, Imperial County, in the central basin of the Colorado Desert. Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley. No major operations that generate greenhouse gas (GHG) emissions are present on or near the 640-acre School Lands parcel.

3.7.2 Regulatory Setting

Federal and State laws and regulations pertaining to this issue area and relevant to the Project are identified in Table 3.7-1.

Table 3.7-1. Laws, Regulations, and Policies (Greenhouse Gases)

U.S.	Federal Clean Air Act (FCAA) (42 USC 7401 et seq.)	In 2007, the U.S. Supreme Court ruled that carbon dioxide (CO_2) is an air pollutant as defined under the FCAA, and that the USEPA has authority to regulate GHG emissions.
CA	California Global Warming Solutions Act of 2006 (AB 32)	Under AB 32, CARB is responsible for monitoring and reducing GHG emissions in the State and for establishing a statewide GHG emissions cap for 2020 that is based on 1990 emissions levels. CARB (2009) has adopted the AB 32 Climate Change Scoping Plan (Scoping Plan), which contains the main strategies for California to implement to reduce CO_2 equivalent (CO_2e) emissions by 169 million metric tons (MMT) from the State's projected 2020 emissions level of 596 MMT CO_2e under a business-as-usual scenario. The Scoping Plan breaks down the amount of GHG emissions reductions the CARB recommends for each emissions sector of the State's GHG inventory, but does not directly discuss GHG emissions generated by construction activities.
CA	Senate Bills (SB) 97 and 375	• Pursuant to SB 97, the State Office of Planning and Research prepared and the Natural Resources Agency adopted amendments to the State CEQA Guidelines for the feasible mitigation of GHG emissions or the effects of GHG emissions. Effective as of March 2010, the revisions to the CEQA Environmental Checklist Form (Appendix G) and the Energy Conservation Appendix (Appendix F) provide a framework to address global climate change impacts in the CEQA process; State CEQA Guidelines section 15064.4 was also added to provide an approach to assessing impacts from GHGs.

Table 3.7-1. Laws, Regulations, and Policies (Greenhouse Gases)

		• SB 375 (effective January 1, 2009) requires CARB to develop regional reduction targets for GHG emissions, and prompted the creation of regional land use and transportation plans to reduce emissions from passenger vehicle use throughout the State. The targets apply to the regions covered by California's 18 metropolitan planning organizations (MPOs). The 18 MPOs must develop regional land use and transportation plans and demonstrate an ability to attain the proposed reduction targets by 2020 and 2035.
CA	Executive Orders	Executive Order B-30-15 (Governor Brown, April 2015) established a new interim statewide GHG emission reduction target to reduce GHG emissions to 40 percent below 1990 levels by 2030 in order to ensure California meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050. It additionally directed all state agencies with jurisdiction over sources of GHG emissions to implement measures, pursuant to statutory authority, to achieve GHG emissions reductions to meet the 2030 and 2050 targets.
		Executive Order S-01-07 (Governor Schwarzenegger, January 2007) established a low carbon fuel standard for California, and directed the carbon intensity of California's transportations fuels to be reduced by at least 10 percent by 2020.
		Executive Order S-3-05 (Governor Schwarzenegger, June 2005) directed the state to reduce GHG emissions to 2000 levels by 2010, to 1990 levels by 2020, and to 80 percent below 1990 level by 2050.

At the local level, Imperial County has not established formal quantitative or qualitative thresholds for the assessment and mitigation of GHG and climate change impacts.

3.7.3 Impact Analysis

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No Impact. The Project consists of the proposed sale of State-owned School Lands to private entities. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. Any other uses and potential impacts are too speculative for evaluation.

3.7.4 Summary

Based upon the above considerations, no impacts associated with GHG emissions are expected to occur as a result of the Project.

3.8 HAZARDS AND HAZARDOUS MATERIALS

HAZARDS AND HAZARDOUS MATERIALS – Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒

3.8.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, Imperial County, in the central basin of the Colorado Desert. Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley. During World War II, the Project area was part of Camp Dunlap, a USMC base activated in 1942 and deactivated in 1945 (see Section 2.3.1, Camp Dunlap). This area is a Formerly Used Defense Site (FUDS), part of a Military Munitions Response

Program, with a history of military munitions, and the potential exists for encountering unexploded ordinance (UXO) in the area. When the land containing Camp Dunlap was quitclaimed back to the State of California, only the concrete slab foundations from the former buildings remained (Anglin 1997). After the base was decommissioned and dismantled, several reports documented the presence of UXO on site. The removal of UXO from adjacent military exercise, training and gunnery ranges by local individuals, and related injuries or fatalities, has been problematic (Anglin 1997). The USACE and DTSC continue to monitor hazardous activities on the former military camp site.

Hazardous Waste and Substances Statement: The Project involves lands (Assessor's Parcel Number 003-240-005) on a list enumerated under Government Code section 65962.5 ("Cortese List"); listed pursuant to section 25356 of the Health and Safety Code; Regulatory identification number: 401714; date of list: 6/23/2014. (Pub. Resources Code, § 21092.6, subd. (a).)

Prior to conducting biological and cultural surveys for this IS, UXO Technician III David Williams (USMC, LTC. Ret.) of Engineering/Remediation Resources Group (ERRG), under contract to the CSLC, performed a visual UXO sweep at the 30-acre East Jesus site and the 160-acre Salvation Mountain site on August 17 through August 19, 2015. The visual field survey within the 30-acre East Jesus parcel identified one MK 76 practice bomb, two inert training smoke grenades, two MK 76 practice bomb fins, and numerous small arms brass. These items were left in place because they did not pose an explosive hazard and were incorporated into artwork. The visual field survey within the 160-acre Salvation Mountain parcel did not reveal any hazardous ammunitions or explosives. Additional information on the UXO survey is contained in Appendix A, Environmental, Cultural, and Other Clearance Surveys.

The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. The Project does not include any construction or ground-disturbing activities. Any other future uses and potential impacts are too speculative for evaluation.

3.8.2 Regulatory Setting

Federal and State laws and regulations pertaining to this issue area and relevant to the Project are identified in Table 3.8-1.

Table 3.8-1. Laws, Regulations, and Policies (Hazards/Hazardous Materials)

U.S.	Clean Water Act (CWA) (33 USC 1251 et seq.)	The CWA is comprehensive legislation (it generally includes reference to the Federal Water Pollution Control Act of 1972, its supplementation by the CWA of 1977, and amendments in 1981, 1987, and 1993) that seeks to protect the nation's water from pollution by setting water quality standards for surface water and by limiting the discharge of effluents into waters of the U.S. *(see below and in Section 3.9, Hydrology and Water Quality).*

Table 3.8-1. Laws, Regulations, and Policies (Hazards/Hazardous Materials)

U.S.	California Toxics Rule (40 CFR 131)	In 2000, the USEPA promulgated numeric water quality criteria for priority toxic pollutants and other water quality standards provisions to be applied to waters in the State of California. USEPA promulgated this rule based on the Administrator's determination that the numeric criteria are necessary in the State of California to protect human health and the environment. Under CWA section 303(c)(2)(B), the USEPA requires states to adopt numeric water quality criteria for priority toxic pollutants for which the USEPA has issued criteria guidance, and the presence or discharge of which could reasonably be expected to interfere with maintaining designated uses. These Federal criteria are legally applicable in California for inland surface waters, enclosed bays, and estuaries.
U.S.	Hazardous Materials Transportation Act (HMTA) (49 USC 5901)	The HMTA delegates authority to the DOT to develop and implement regulations pertaining to the transport of hazardous materials and hazardous wastes by all modes of transportation. Additionally, the USEPA's Hazardous Waste Manifest System is a set of forms, reports, and procedures for tracking hazardous waste from a generator's site to the disposal site. Applicable Federal regulations are contained primarily in CFR Titles 40 and 49.
U.S.	National Oil and Hazardous Substances Pollution Contingency Plan (NCP) (40 CFR 300)	Authorized under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), 42 USC 9605, as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA), Pub. L. 99 through 499; and by CWA section 311(d), as amended by the Oil Pollution Act of 1990 (OPA), Pub. L. 101 through 380. The NCP outlines requirements for responding to both oil spills and releases of hazardous substances. It specifies compliance, but does not require the preparation of a written plan. It also provides a comprehensive system for reporting, spill containment, and cleanup.
U.S.	Resource Conservation and Recovery Act (RCRA) (42 USC 6901 et seq.)	The RCRA authorizes the USEPA to control hazardous waste from "cradle-to-grave," which encompasses its generation, transportation, treatment, storage, and disposal. RCRA's Federal Hazardous and Solid Waste Amendments from 1984 include waste minimization and phasing out land disposal of hazardous waste as well as corrective action for releases. The Department of Toxic Substances Control is the lead State agency for corrective action associated with RCRA facility investigations and remediation.
U.S.	Toxic Substances Control Act (TSCA) (15 USC 2601–2692)	The TSCA authorizes the USEPA to require reporting, record-keeping, testing requirements, and restrictions related to chemical substances and/or mixtures. It also addresses production, importation, use, and disposal of specific chemicals, such as polychlorinated biphenyls (PCBs), asbestos-containing materials, lead-based paint, and petroleum.
U.S.	Formally Used Defense Sites (FUDS) Program	The FUDS Program cleans up environmental contamination at properties formerly owned, leased, possessed, or used by the military services (Army, Navy, Air Force, or other Defense agencies). The Army is the Department of Defense executive agent for FUDS; the USACE carries out the Program (see: www.usace.army.mil/Missions/Environmental/FormerlyUsedDefenseSites.aspx).
CA	Other	• Hazardous Waste and Substances Site List - Site Cleanup (Cortese List; Gov. Code § 65962.5). Health and Safety Code (§25356). • Hazardous Waste Control Act (Cal. Code Regs., tit. 26) defines requirements for proper management of hazardous materials. • California Seismic Hazards Mapping Act (Pub. Resources Code, § 2690) and Seismic Hazards Mapping Regulations (Cal. Code Regs., tit. 14, Div. 2, Ch. 8, Art. 10) *(See Section 3.6, Geology and Soils).* • Porter-Cologne Water Quality Control Act (Wat. Code, § 13000 et seq.) *(See Section 3.9, Hydrology and Water Quality).*

The Imperial County Fire Department is the local Office of Emergency Services (OES). The department acts as the lead agency for the Imperial County Operational Area and provides leadership in all phases of developing the emergency management organization, including public education, training, operations, interagency coordination, and plan development (OES 2007).

The County's Operational Area Emergency Operations Plan (EOP) provides a comprehensive, single source of guidance and procedures for the County to prepare for and respond to significant or catastrophic natural, environmental, or conflict-related risks that produce situations requiring coordinated response. It further provides guidance regarding management concepts relating to response and abatement of various emergency situations, identifies organizational structures and relationships, and describes responsibilities and functions necessary to protect life and property. The EOP is consistent with the requirements of the Standardized Emergency Management System (SEMS) as defined in Government Code section 8607, subdivision (a), and the U.S. Department of Homeland Security National Incident Management System (NIMS) for managing response to multi-agency and multi-jurisdictional emergencies. SEMS/NIMS incorporate the use of the Incident Command System, mutual aid, the operational area concept, and multi/interagency coordination (OES 2007).

3.8.3 Impact Analysis

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No Impact. The proposed sale of School Lands will not result in the routine transport, use, or disposal of any hazardous materials, create reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment, or emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school. The Project does not include any construction**,** ground disturbance, or modification of existing conditions that could subject buildings, structures or people to additional hazards or hazardous materials. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. Any other uses and potential impacts are too speculative for evaluation.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less Than Significant Impact. The former Camp Dunlap site, a FUDS Program site, which lies within the proposed School Lands sale parcels, is included on the Cortese list of hazardous materials sites compiled pursuant to Government Code section 65962.5 (SWRCB 2015, DTSC 2015). However, the proposed purchasers of the School Lands parcels plan to continue the existing uses associated with the respective parcels, and no construction is proposed. Therefore, this impact is considered less than significant because there will be no new exposure beyond current baseline conditions. Any other uses and potential impacts are too speculative for evaluation.

Clean-up operations on the former Camp Dunlap site are the responsibility of the USACE since the parcels are part of the FUDS Program. The UXO sweep conducted in advance of the biological and cultural surveys for this IS did not identify any UXO constituting an explosive hazard. The USACE estimates that some FUDS Program sites could take until 2085 or beyond to cleanup. (See FUDS Frequently Asked Questions at www.usace.army.mil/Missions/Environmental/FormerlyUsedDefenseSites/FrequentlyAskedQuestions.aspx.)

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f) For a project within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?

No Impact. The Project area is not located within an airport land use plan or within 2 miles or in the vicinity of a public airport, public use airport, or private airstrip.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No Impact. The proposed sale of School Lands will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The Project does not include any construction**,** ground disturbance, or modification of existing conditions that could subject buildings, structures or people to additional hazards or hazardous materials. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. Any other uses and potential impacts are too speculative for evaluation.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Impact. The proposed sale of School Lands will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. The Project does not include any construction***,*** ground disturbance, or modification of existing conditions that could subject buildings, structures or people to additional hazards or hazardous materials. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. Any other uses and potential impacts are too speculative for evaluation.

3.8.4 Summary

Based upon the above considerations, there is a potential significant impact associated with the proposed sale of School Lands since the Project Area includes a hazardous materials site listed pursuant to Government Code section 65962.5 (SWRCB 2015, DTSC 2015). However, the proposed purchasers of the School Lands parcels plan to continue the existing uses associated with the respective parcels, and no construction is proposed. Therefore, this impact is considered less than significant because there will be no new exposure beyond current baseline conditions. Any other uses and potential impacts are too speculative for evaluation.

3.9 HYDROLOGY AND WATER QUALITY

HYDROLOGY AND WATER QUALITY – Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	☐	☐	☐	☒
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒

3.9.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, Imperial County, in the central basin of the Colorado Desert within the Salton Trough (Salton Sink). Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles

southeast of Palm Springs and 19 miles north of Brawley. The Salton Trough is the northwestern landward continuation of the rift that extends 140 miles northwest from the head of the Gulf of California. The Trough is traversed by the San Andreas Fault and bordered on the east by the Chocolate Mountains, which stretch more than 60 miles in a northwest to southeast direction and rise to an elevation of 2,475 feet asl. The Trough was formed by a gradual sinking of the land concurrent with uplift of the surrounding mountains during the Miocene, Pliocene, and Pleistocene eras. Much of the Salton Trough lies below sea level, and at its lowest elevation lies the Salton Sea, a 376-square mile saltwater lake located about 6 miles to the east of the Project area.

The Colorado Desert is a hot, dry desert region that consists of low valleys surrounded by high mountains. The average annual rainfall and temperature vary with elevation. In much of the lower region, rainfall ranges from 2.5 centimeters (cm) to 5 cm per year; while other areas receive as much as 20 to 25 cm of precipitation per year. The marked elevation changes in the area also reflect variations in temperature. Summer temperatures range between 100° and 120° F, while in the mountainous regions, they tend to hover around 90° F. The winters are windier and more variable in temperature than in the summer, but rarely reach below freezing. The relatively low rainfall totals (2.5 cm) do not indicate a potential for hydrogeological or water quality issues.

3.9.2 Regulatory Setting

Federal and State laws and regulations pertaining to this issue area and relevant to the Project are identified in Table 3.9-1.

Table 3.9-1. Laws, Regulations, and Policies (Hydrology and Water Quality)

U.S.	Clean Water Act (CWA) (33 USC 1251 et seq.)	The CWA is comprehensive legislation (it generally includes reference to the Federal Water Pollution Control Act of 1972, its supplementation by the CWA of 1977, and amendments in 1981, 1987, and 1993) that seeks to protect the nation's water from pollution by setting water quality standards for surface water and by limiting the discharge of effluents into waters of the U.S. These water quality standards are promulgated by the USEPA and enforced in California by the State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs). CWA sections include: • State Water Quality Certification. Section 401 (33 USC 1341) requires certification from the State or interstate water control agencies that a proposed water resources project is in compliance with established effluent limitations and water quality standards. USACE projects, as well as applicants for Federal permits or licenses are required to obtain this certification. • National Pollution Discharge Elimination System)(NPDES). Section 402 (33 USC 1342) establishes conditions and permitting for discharges of pollutants under the NPDES.
CA	Porter-Cologne Water Quality Control Act (Wat. Code, §	Porter-Cologne is the principal law governing water quality in California. The Act established the SWRCB and nine RWQCBs who have primary responsibility for protecting State water quality and the beneficial uses of State waters. Porter-Cologne also implements many provisions of the Federal CWA, such as the National Pollutant Discharge Elimination System (NPDES) permitting program.

Table 3.9-1. Laws, Regulations, and Policies (Hydrology and Water Quality)

	13000 et seq.) (Porter-Cologne)	Pursuant to the CWA section 401, applicants for a Federal license or permit for activities that may result in any discharge to waters of the U. S. must seek a Water Quality Certification (Certification) from the State in which the discharge originates. Such Certification is based on a finding that the discharge will meet water quality standards and other appropriate requirements of State law. In California, RWQCBs issue or deny certification for discharges within their jurisdiction. The SWRCB has this responsibility where projects or activities affect waters in more than one RWQCB's jurisdiction. If the SWRCB or a RWQCB imposes a condition on its Certification, those conditions must be included in the Federal permit or license. Porter-Cologne (§ 13240) requires each RWQCB to formulate and adopt a Basin Plan for all areas within the Region. Each RWQCB establishes water quality objectives to ensure the reasonable protection of beneficial uses and a program of implementation for achieving water quality objectives within the basin plans. 40 CFR 131 requires each State to adopt water quality standards by designating water uses to be protected and adopting water quality criteria that protect the designated uses. In California, the beneficial uses and water quality objectives are the State's water quality standards. These Plans contain enforceable standards for the various waters they address.

There are no local goals, policies, and/or regulations applicable to this issue area.

3.9.3 Impact Analysis

a) Violate any water quality standards or waste discharge requirements?

No Impact. The proposed sale of School Lands does not include any construction or modification of existing conditions that could subject topography, buildings, structures or people to modifications to any water body, streambed or channel. Therefore, there is no potential for violation of any water quality standards or waste discharge requirements.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

No Impact. The proposed sale of School Lands will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted). The proposed sale does not include any construction or modification of existing conditions that would warrant a modification of the topography, buildings, structures or people to modifications to any water body, streambed or channel.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

No Impact. The proposed sale of School Lands does not include any construction or modification of existing conditions that could subject topography, buildings, structures or people to modifications to any water body, streambed or channel. Therefore, there is no potential for altering the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

No Impact. The proposed sale of School Lands does not include any construction or modification of existing conditions that could subject topography, buildings, structures or people to modifications to any water body, streambed or channel. Therefore, there is no potential for altering the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

No Impact. The proposed sale of School Lands does not include any construction or modification of existing conditions that could subject topography, buildings, structures or people to modifications to any water body, streambed or channel. Therefore, there is no potential for creating or contributing to runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

f) Otherwise substantially degrade water quality?

No Impact. The proposed sale of School Lands does not include any construction or modification of existing conditions that could subject topography, buildings, structures or people to modifications to any water body, streambed or channel. Therefore, there is no potential for substantial water quality degradation.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

No Impact. There is no potential for placing housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. There is no potential for being within a 100-year flood hazard area structures which would impede or redirect flood flows. The proposed sale is not within the federal or State adopted plans of flood control.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No Impact. The proposed sale of School Lands does not include any construction or modification of existing conditions that could subject topography, buildings, or structures to modifications to any water body, streambed or channel. Therefore, there is no potential for exposing people or structures to a significant risk of loss, injury or death involving flooding.

j) Inundation by seiche, tsunami, or mudflow?

No Impact. Due to the location of the School Lands parcels proposed for sale, there is no potential for inundation by seiche, tsunami, or mudflow.

3.9.4 Summary

Based upon the above considerations, no impacts to hydrology and water quality are expected to occur as a result of the proposed sale of School Lands. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. The Project does not include any construction or ground-disturbing activities. Any other uses and potential impacts are too speculative for evaluation.

3.10 LAND USE AND PLANNING

LAND USE AND PLANNING – Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Physically divide an established community?	☐	☐	☐	☒
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒

3.10.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, Imperial County, in the central basin of the Colorado Desert. Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley. During World War II, the Project area was part of Camp Dunlap, a USMC base activated in 1942 and deactivated in 1945 (see Section 2.3.1, Camp Dunlap). When the land containing Camp Dunlap was quitclaimed back to the State of California, only the concrete slab foundations from the former buildings remained (Anglin 1997). In the mid-1960s, a few individuals began to establish residences on the cement foundations that remained from Camp Dunlap. Homes included buildings constructed of plywood, discarded lumber, and other materials that remained from the dismantling of Camp Dunlap, as well as mobile homes and RVs. A small community was formed that became known as Slab City. Slab City continues to attract occupants and visitors.

Another attraction to the Project area is Salvation Mountain, a 50-foot-tall structure built into a hillside using concrete, adobe, and paint that includes interior spaces, large panels of biblical verses, and a cross. Salvation Mountain was built by Leonard Knight, who visited Slab City in the early 1980s, began working on Salvation Mountain in 1984, and spent years rebuilding the structure after its collapse in 1990 (Bremmer 2015). A nonprofit organization, Salvation Mountain Inc. has maintained Salvation Mountain since 2014. A history of Slab City and Salvation Mountain is provided by Anglin (1997).

3.10.2 Regulatory Setting

State planning law requires each city and county to prepare and adopt a comprehensive, long-term general plan for its physical development (Gov. Code, § 65300 et seq.). Imperial County's General Plan is a blueprint for development through

the community. The Land Use Element identifies the goals, policies and standards of the General Plan that guide the physical growth of the County, including the elements necessary to support such growth such as the "general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land" (see Gov. Code, § 65302, subd. (a)).

3.10.3 Impact Analysis

a) Physically divide an established community?

No Impact. The proposed sale of School Lands does not include any construction or modification of existing conditions that could physically divide an established community. The proposed sale of School Lands will sell the land and transfer ownership of the School Lands to two nonprofit organizations that have applied to the CSLC to purchase the current State-owned lands.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

No Impact. The proposed sale of School Lands does not include any construction or modification of existing conditions that could physically divide an established community or conflict with any applicable habitat conservation plan or natural community conservation plan. The proposed sale of School Lands to two nonprofit organizations that have applied to the CSLC to purchase the current State-owned lands will transfer ownership of the School Lands to these organizations.

3.10.4 Summary

Based upon the above considerations, no land use and planning-related impacts are expected to occur as a result of the proposed sale of School Lands. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. The Project does not include any construction or ground-disturbing activities. Any other uses and potential impacts are too speculative for evaluation.

3.11 MINERAL RESOURCES

MINERAL RESOURCES – Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

3.11.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, Imperial County, in the central basin of the Colorado Desert. The Salton Trough is a northwestern landward continuation of the rift that extends 140 miles northwest from the head of the Gulf of California. The Trough is traversed by the San Andreas Fault and bordered on the east by the Chocolate Mountains, which stretch more than 60 miles in a northwest to southeast direction and rise to an elevation of 2,475 feet asl. The Trough was formed by a gradual sinking of the land concurrent with uplift of the surrounding mountains during the Miocene, Pliocene, and Pleistocene eras. Much of the Salton Trough lies below sea level, and at its lowest elevation lies the Salton Sea, a 376-square mile saltwater lake located about 6 miles to the east of the Project area.

Upon review of potential renewable energy resources in the area, CSLC staff is evaluating retaining an easement, north of Beal Road and along the west edge of Section 36, for access to and surface rights for future renewable energy exploration and development. The area is within the West Chocolate Mountain Renewable Energy Evaluation Area that the U.S. Bureau of Land Management believes has geothermal and solar energy potential.

3.11.2 Regulatory Setting

Federal and State laws and regulations pertaining to this issue area and relevant to the Project are identified in Table 3.11-1.

Table 3.11-1. Laws, Regulations, and Policies (Mineral Resources)

CA	Surface Mining and Reclamation Act (SMARA) (Pub. Resources, §§ 2710-2796)	In accordance with SMARA, the California Geological Survey classifies the regional significance of mineral resources and assists in the designation of lands containing significant aggregate resources. Mineral Resource Zones (MRZs) have been designated to indicate the significance of mineral deposits. The MRZ categories are: • MRZ-1: Areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their

Table 3.11-1. Laws, Regulations, and Policies (Mineral Resources)

		presence. • MRZ-2: Areas where adequate information indicates significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence. • MRZ-3: Areas containing mineral deposits the significance of which cannot be evaluated from available data. • MRZ-4: Areas where available information is inadequate for assignment to any other MRZ.

At the local level, the Conservation and Open Space Element of the County of Imperial General Plan contains a goal and objectives to preserve mineral resources in the County. This Element also indicates the general location of known mineral resources in the County. These areas are not included within the proposed Project area.

3.11.3 Impact Analysis

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. The Project would not result in the loss of availability of any known mineral resources or mineral resource recovery site. Mineral rights associated with the School Lands parcels would be retained by the State. The proposed sale of School Lands to prospective applicants will transfer only the surface ownership of these lands. Upon review of potential renewable energy resources in the area, CSLC staff is evaluating retaining an easement, north of Beal Road and along the west edge of Section 36, for access to and surface rights for future renewable energy exploration and development. The potential easement area, which is partially within the Salvation Mountain parcel, is within the West Chocolate Mountain Renewable Energy Evaluation Area that the U.S. Bureau of Land Management believes has geothermal and solar energy potential.

3.11.4 Summary

Based upon the above considerations, no impacts to mineral resources are expected to occur as a result of the proposed sale of School Lands. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. The Project does not include any construction or ground-disturbing activities. Any other uses and potential impacts are too speculative for evaluation.

3.12 NOISE

NOISE – Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒
b) Result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☐	☒
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

3.12.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, Imperial County, in the central basin of the Colorado Desert. Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley. North by northeast is the active Chocolate Mountain Aerial Gunnery Range. This is an active weapons range using various warfare methods. The methods include planes, helicopters and ground vehicles. Military activities occur at all hours of the day and are anticipated to continue after the sale of the School Lands parcels is completed.

3.12.2 Regulatory Setting

No Federal laws or regulations pertain to this issue area. State laws and regulations pertaining to this issue area and relevant to the Project are identified in Table 3.12-1.

Table 3.12-1. Laws, Regulations, and Policies (Noise)

CA	State regulations for limiting population exposure to physically and/or psychologically significant noise levels include established guidelines and ordinances for roadway and aviation noise under California Department of Transportation as well as the now defunct California Office of Noise Control. The California Office of Noise Control land use compatibility guidelines provided the following: • An exterior noise level of 60 to 65 dBA Community Noise Equivalent Level (CNEL) is considered "normally acceptable" for residences. • A noise level of 70 dBA CNEL is considered to be "conditionally acceptable" (i.e., the upper limit of "normally acceptable" noise levels for sensitive uses such as schools, libraries, hospitals, nursing homes, churches, parks, offices, and commercial/professional businesses). • A noise level of greater than 75 dBA CNEL is considered "clearly unacceptable" for residences.

At the local level, the Land Use Ordinance for Imperial County, Title 9, is to provide comprehensive land use regulations for all unincorporated areas. These regulations are adopted to promote and protect the public health, safety, and general welfare through the orderly regulation of land uses throughout the unincorporated areas of the County. The Land Use Ordinances for noise should not be affected by the proposed sale of School Lands and the proposed sale does not include any construction or modification of existing conditions that could increase the potential of increased noise.

Also included in the Imperial County General Plan is the Noise Element. Government Code section 65302, subdivision (f), specifies the content of the Noise Element, which includes the requirement to analyze, to the extent practicable, the current and projected noise levels. The Noise Element examines noise sources and provides information to be used in setting land use policies to protect noise sensitive land uses and for developing and enforcing a local noise ordinance. The Noise Element of the Imperial County General Plan provides a program for incorporating noise issues into the land use planning process, with a goal of minimizing adverse noise impacts to receptors which are sensitive to noise.

3.12.3 Impact Analysis

a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

b) Result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?

c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

No Impact. The proposed sale of School Lands does not include any construction or modification of existing conditions that could result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; would not result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels; would not result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project; and, would not result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project. Current military training activities on adjacent lands will continue to be an on-going generator of noise. The proposed land sale will not have any changes to the current baseline conditions on the identified parcels.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

f) For a Project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The project is not located within an airport land use plan area, within 2 miles of a public airport or public use airport, or within the vicinity of a private airstrip that would expose people to excessive noise levels.

3.12.4 Summary

Based upon the above considerations, no noise impacts are expected to occur as a result of the proposed sale of School Lands. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. The Project does not include any construction or ground-disturbing activities. Any other uses and potential impacts are too speculative for evaluation.

3.13 POPULATION AND HOUSING

POPULATION AND HOUSING – Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

3.13.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, Imperial County, in the central basin of the Colorado Desert. Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley. During World War II, the Project area was part of Camp Dunlap, a USMC base activated in 1942 and deactivated in 1945 (see Section 2.3.1, Camp Dunlap). When the land containing Camp Dunlap was quitclaimed back to the State of California, only the concrete slab foundations from the former buildings remained (Anglin 1997).

In the mid-1960s, a few individuals began to establish residences on the cement foundations that remained from Camp Dunlap. Homes included buildings constructed of plywood, discarded lumber, and other materials that remained from the dismantling of Camp Dunlap, as well as mobile homes and RVs. A small community was formed that became known as Slab City. Slab City continues to attract occupants and visitors. Another attraction to the Project area is Salvation Mountain, a 50-foot-tall structure built into a hillside using concrete, adobe, and paint that includes interior spaces, large panels of biblical verses, and a cross. In 1990, the original structure collapsed, and construction began of a new structure. A history of Slab City and Salvation Mountain is provided by Anglin (1997).

The current occupants of the parcels have created two nonprofit organizations to purchase the land. Salvation Mountain Inc. proposes to purchase the southwest quarter of the 640-acre parcel, which encompasses 160 acres and includes Salvation Mountain. The Chasterus Foundation currently operates an art installation at the north end of the 640-acre property called East Jesus and are proposing to purchase the 30-acre parcel that contains art installations associated with East Jesus.

3.13.2 Regulatory Setting

No federal or State laws relevant to this issue area are applicable to the Project. At the local level, Imperial County is required to discuss how it will meet its fair share of the housing need in the state. The purpose of the Housing Element in the Imperial County General Plan is to ensure that local governments adequately plan to meet the housing needs of all people within the community (ICPDS 2015). The Housing Element for 2014-2021 includes policies that address housing, employment, and growth management, as well as the adequate provision of resources, facilities, and services (ICPDS 2015). Housing Element goals and policies encourage continuous analysis and evaluation of population trends and housing needs to allow for the development of sites and facilities that sustain population growth in the County and development in existing communities. The Housing Element also acknowledges the governmental, environmental, infrastructure, and land use constraints on residential development in the County.

3.13.3 Impact Analysis

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. The proposed sale of School Lands will not induce substantial population growth in an area (e.g., through extension of roads or other infrastructure); will not displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; and will not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere. The proposed sale does not include any construction or modification of existing baseline conditions.

3.13.4 Summary

Based upon the above considerations, no impacts to population and housing are expected to occur as a result of the proposed sale of School Lands. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. The Project does not include any construction or ground-disturbing activities. Any other uses and potential impacts are too speculative for evaluation.

3.14 PUBLIC SERVICES

PUBLIC SERVICES	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	☐	☐	☐	☒
Police protection?	☐	☐	☐	☒
Schools?	☐	☐	☐	☒
Parks?	☐	☐	☐	☒
Other public facilities?	☐	☐	☐	☒

3.14.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, Imperial County, in the central basin of the Colorado Desert. Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley.

Both Imperial County and the town of Niland have limited ability to provide public services to the people residing within the Project area. Emergency fire and medical services are usually provided by Niland's fire department (Anglin 1997). Police and law enforcement protection are provided by the Imperial County Sheriff's department and by the California Highway Patrol (Anglin 1997). The Imperial County Department of Public Works (ICDPW) Road Division is responsible for Beal Road maintenance. This road is maintained to provide access to the Coachella Canal and Coachella Canal road. The Coachella Canal provides irrigation water to farms and agricultural activities, north of the site. The road also provides access for military personnel access to the Chocolate Mountain Aerial Gunnery Range. No businesses or employees are currently located on the proposed sale parcels.

3.14.2 Regulatory Setting

No federal laws or regulations pertain to this issue area. State laws and regulations pertaining to this issue area and relevant to the Project are identified in Table 3.14-1.

Table 3.14-1. Laws, Regulations, and Policies (Public Services)

CA	California Code of Regulations	Under **Title 19, Public Safety**, the California State Fire Marshal (CSFM) develops regulations relating to fire and life safety. These regulations have been prepared and adopted to establish minimum standards for the prevention of fire and for protection of life and property against fire, explosion, and panic. The CSFM also adopts and administers regulations and standards necessary under the California Health and Safety Code to protect life and property.

3.14.3 Impact Analysis

a) Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?
Police protection?
Schools?
Parks?
Other public facilities?

No Impact. The proposed sale of School Lands will not have an impact on fire or police protection, schools, parks, or other public facilities. The Project will not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services. The proposed sale does not include any construction or modification of existing baseline conditions.

3.14.4 Summary

Based upon the above considerations, no impacts to public services are expected to occur as a result of the proposed sale of School Lands. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. The Project does not include any construction or ground-disturbing activities. Any other uses and potential impacts are too speculative for evaluation.

3.15 RECREATION

RECREATION	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

3.15.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, Imperial County, in the central basin of the Colorado Desert. Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley. Recreation opportunities are limited within the Project area. The Glamis Sand Dune Recreation area is approximately 26 miles to the south. This area is managed by the National Park Service and provides an area for off-highway motor vehicle recreation (OHMVR). The Ocotillo Wells OHMVR Park is more than 39 miles west of the proposed sale sites. North of the School Lands parcel is Coachella, Palm Springs and other golf resort destinations. Many golf communities and resorts are more than 60 miles away from the proposed site.

3.15.2 Regulatory Setting

The proposed sale of School Lands will not have an impact on federal, State, or local goals, policies, and/or regulations.

3.15.3 Impact Analysis

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact. The proposed sale of School Lands will not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. The closest park or playground is located 4 miles away in Niland. The proposed sale does not include any construction or modification of existing baseline conditions.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact. The proposed sale of School Lands will not include recreational facilities or require the construction or expansion of recreational facilities.

3.15.4 Summary

Based upon the above considerations, no impacts to recreation are expected to occur as a result of the proposed sale of School Lands. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. The Project does not include any construction or ground-disturbing activities. Any other uses and potential impacts are too speculative for evaluation.

3.16 TRANSPORTATION/TRAFFIC

TRANSPORTATION/TRAFFIC – Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☐	☒
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
e) Result in inadequate emergency access?	☐	☐	☐	☒
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒

3.16.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, Imperial County, in the central basin of the Colorado Desert. Niland is a small community on the southeast side of the Salton Sea, approximately 80 miles southeast of Palm Springs and 19 miles north of Brawley. The area is 3.5 miles away from Imperial County Road 111. Beal Road is the only road that provides access to the School Lands parcels.

3.16.2 Regulatory Setting

State laws and regulations pertaining to this issue area and relevant to the Project are identified in Table 3.16-1.

Table 3.16-1. Laws, Regulations, and Policies (Transportation/Traffic)

CA	California Vehicle Code	Chapter 2, Article 3 of the Vehicle Code defines the powers and duties of the California Highway Patrol, which has enforcement responsibilities for the vehicle operation and highway use in the State.
CA	Other	The California Department of Transportation is responsible for the design, construction, maintenance, and operation of the California State Highway System and the portion of the Interstate Highway System in California.

At the local level, the ICDPW administers the Imperial County Circulation and Scenic Highways Element, which is prepared in conformance with General Plan statutes and Guidelines and modified population and transportation projections.

3.16.3 Impact Analysis

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. As provided in the environmental setting, the Project is located in a very rural area of Imperial County and is 3.5 miles away from a major road (Imperial County Road 111). Only one road provides access to the area (Beal Road). Therefore, traffic circulation, congestion management, air traffic patterns, and transportation design features would not be impacted by the proposed sale of the School Lands parcels.

e) Result in inadequate emergency access?

No Impact. The proposed sale of School Lands will not result in inadequate emergency access. Currently emergency vehicles have access to the School Lands parcels via Beal Road and past emergency response activities have not been affected by limited access (Anglin 1997).

f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

No Impact. The proposed sale of School Lands will not conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

3.16.4 Summary

Based upon the above considerations, no impacts to transportation or traffic are expected to occur as a result of the proposed sale of School Lands. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. The Project does not include any construction or ground-disturbing activities. Any other uses and potential impacts are too speculative for evaluation.

3.17 UTILITIES AND SERVICE SYSTEMS

UTILITIES AND SERVICE SYSTEMS – Would the Project:	**Potentially Significant Impact**	**Less Than Significant with Mitigation**	**Less Than Significant Impact**	**No Impact**
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒
d) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒
e) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?	☐	☐	☐	☒
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒

3.17.1 Environmental Setting

The Project area is located 2 miles east-northeast of Niland, a small community in Imperial County on the southeast side of the Salton Sea. During World War II, the Project area was part of Camp Dunlap, a USMC base activated in 1942 and deactivated in 1945 (see Section 2.3.1, Camp Dunlap). All public services and infrastructure, including underground tanks, were dismantled or removed after Camp Dunlap was dismantled (Anglin 1997; California Military Department 2015). In 1961, when the land containing the Camp was quitclaimed back to the State, only the concrete slab foundations from the former buildings remained (Anglin 1997).

3.17.2 Regulatory Setting

There are no federal, State, or local goals, policies, and/or regulations related to utilities and service systems relevant to the proposed sale of School Lands.

3.17.3 Impact Analysis

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

d) Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?

e) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments?

f) Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?

g) Comply with federal, state, and local statutes and regulations related to solid waste?

No Impact. No utilities or service systems currently provide electricity, water, or sewage to the School Lands parcels and the Project would not create new utilities or service systems. After Camp Dunlap was decommissioned, sewage and water supplies and associated piping were removed from the area. Solar panels, gas-powered generators, and storage batteries currently provide electrical power, potable water is delivered to occupants, and pump-out services or other means are coordinated to remove human waste from the trailers or settlements within the proposed sale parcels. The Project applicants recycle and re-use resources on-site or remove solid waste that cannot be reused or recycled to the Niland Solid Waste Site in Niland.

3.17.4 Summary

Based upon the above considerations, no impacts to utilities and service systems are expected to occur as a result of the proposed sale of School Lands. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. The Project does not include any construction or ground-disturbing activities. Any other uses and potential impacts are too speculative for evaluation.

3.18 MANDATORY FINDINGS OF SIGNIFICANCE

The lead agency shall find that a project may have a significant effect on the environment and thereby require an EIR to be prepared for the project where there is substantial evidence, in light of the whole record, that any of the following conditions may occur. Where prior to commencement of the environmental analysis a project proponent agrees to MMs or project modifications that would avoid any significant effect on the environment or would mitigate the significant environmental effect, a lead agency need not prepare an EIR solely because without mitigation the environmental effects would have been significant (per State CEQA Guidelines, § 15065).

MANDATORY FINDINGS OF SIGNIFICANCE –	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of past, present and probable future projects)?	☐	☐	☐	☒
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

3.18.1 Impact Analysis

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

No Impact. The proposed sale of School Lands does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife

species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

b) Does the project have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

No Impact. The proposed sale of School Lands will not have impacts that would be individually limited, but cumulatively considerable. ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

c) Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?

No Impact. The proposed sale of School Lands will not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly. The proposed sale does not include any construction or modification of existing baseline conditions.

Summary

Based upon the above considerations, CSLC staff believes that the proposed sale of School Lands will not have a significant effect on the environment that requires either an MND or an EIR to be prepared. The proposed purchasers of the School Lands parcels plan to continue the existing uses (current baseline conditions) associated with the respective parcels. The Project does not include any construction or ground-disturbing activities. Any other uses and potential impacts are too speculative for evaluation.

4.0 OTHER MAJOR AREAS OF CONCERN

4.1 CSLC ENVIRONMENTAL JUSTICE POLICY

Environmental justice is defined by California law as "the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies" (Senate Bill 115 [Chapter 690, Statutes of 1999]). This definition is consistent with the Public Trust Doctrine principle that the management of trust lands is for the benefit of all of the people. The CSLC adopted an environmental justice policy in October 2002 to ensure that environmental justice is an essential consideration in the agency's processes, decisions, and programs. Through its policy, CSLC reaffirms its commitment to an informed and open process in which all people are treated equitably and with dignity, and in which its decisions are tempered by environmental justice considerations.

As part of the CSLC environmental justice policy, the CSLC pledges to continue and enhance its processes, decisions, and programs with environmental justice as an essential consideration by:

1) Identifying relevant populations that might be adversely affected by CSLC programs or by projects submitted by outside parties for its consideration.
2) Seeking out community groups and leaders to encourage communication and collaboration with the CSLC and its staff.
3) Distributing public information as broadly as possible and in multiple languages, as needed, to encourage participation in the CSLC's public processes.
4) Incorporating consultations with affected community groups and leaders while preparing environmental analyses of projects submitted to the CSLC for its consideration.
5) Ensuring that public documents and notices relating to human health or environmental issues are concise, understandable, and readily accessible to the public, in multiple languages, as needed.
6) Holding public meetings, public hearings, and public workshops at times and in locations that encourage meaningful public involvement by members of the affected communities.
7) Educating present and future generations in all walks of life about public access to lands and resources managed by the CSLC.
8) Ensuring that a range of reasonable alternatives is identified when siting facilities that may adversely affect relevant populations and identifying, for the CSLC's consideration, those that would minimize or eliminate environmental impacts affecting such populations.

9) Working in conjunction with federal, State, regional, and local agencies to ensure consideration of disproportionate impacts on relevant populations, by instant or cumulative environmental pollution or degradation.

10) Fostering research and data collection to better define cumulative sources of pollution, exposures, risks, and impacts.

11) Providing appropriate training on environmental justice issues to staff and the CSLC so that recognition and consideration of such issues are incorporated into its daily activities.

12) Reporting periodically to the CSLC on how environmental justice is a part of the programs, processes, and activities conducted by the CSLC and by proposing modifications as necessary.

4.1.1 Methodology

The CSLC environmental justice policy does not specify a methodology for conducting programmatic-level analysis of environmental justice issues. This analysis focuses primarily on whether the Project's impacts have the potential to affect areas of high-minority populations and/or low-income communities disproportionately and thus would create an adverse environmental justice effect. For the purpose of the environmental analysis, the Project's inconsistency with the CSLC's Environmental Justice Policy would occur if the Project would: (1) have the potential to disproportionately affect minority and/or low-income populations adversely; or (2) result in a substantial, disproportionate decrease in employment and economic base of minority and/or low-income populations residing in immediately adjacent communities.

4.1.2 Project Analysis

Communities of Concern Identified within the Project Study Area. A review of the ACS 2013 1-year U.S. Census data revealed that 82 percent of the Imperial County population is of Hispanic or Latino origins (Census Reporter 2015). The second largest demographic population was White at 12.7 percent. Black, Native, Asian, Islander, and other races were identified less than 5 percent of Imperial County population (Census Reporter 2015). Based on the observed individuals at the Salvation Mountain and East Jesus sites, the U.S. Census data does not reflect the same numerical percentage of racial composition. The people observed at the site all appear to be White.

The Project will not have the potential to disproportionately affect minority and/or low-income populations adversely; or result in a substantial, disproportionate decrease in employment and economic base of minority and/or low-income populations residing in immediately adjacent communities. Therefore, no impact is expected.

5.0 ND PREPARATION SOURCES AND REFERENCES

This Negative Declaration (ND) was prepared by the staff of the California State Lands Commission's (CSLC) Division of Environmental Planning and Management (DEPM), with the assistance of Evans and DeShazo, LLC and Blackhawk Environmental. The analysis in the ND is based on information identified, acquired, reviewed, and synthesized based on DEPM guidance and recommendations.

5.1 CSLC STAFF

Project Manager: Christopher Huitt, DEPM
Other: Eric Gillies, Assistant Chief, DEPM
Cy Oggins, Chief, DEPM

5.2 SECTION AUTHORS AND/OR REVIEWERS

Name and Title	Affiliation	ND Sections
Sally Evans	Evans and DeShazo	Cultural and Paleontological Resources, Geology and Soils
Stacey DeShazo	Evans and DeShazo	Cultural and Paleontological Resources, Geology and Soils
Ian Maunsell	Blackhawk Environmental	Biological Resources
Kris Alberts	Blackhawk Environmental	Biological Resources
Seth Reimers	Blackhawk Environmental	Biological Resources

5.3 REFERENCES CITED

Anglin, Nadine. 1997. As I Remember Old Beach, Imperial Junction, Hobgood, Niland, Campground-Slab City, Salvation Mountain, L & N. Durbin Inc. (eds). Snowbird Production, Niland, CA.

Baldwin, B. G., D. H. Goldman, D. J. Keil, R. Patterson, T. J. Rosatti, and D. H. Wilken, editors. 2012. The Jepson Manual: Vascular Plants of California, Second Edition. University of California Press, Berkeley, CA.

Bremmer, Lynn. Leonard Knight, The Man Who Built Salvation Mountain. Electronic document. www.desertusa.com/desert-people/leonard-knight.html. Accessed August 31, 2015.

Calflora. 2014. Information on California plants for education, research and conservation. Berkeley, CA: The Calflora Database [a nonprofit organization]. www.calflora.org/. Accessed July 9-29, 2014.

California Department of Conservation, 2010. Fault Activity Map of California. http://maps.conservation.ca.gov/cgs/fam/. Accessed September 25, 2015.

California Department of Fish and Wildlife (CDFW). 2015. California Natural Diversity Database (CNDDB). RareFind Version 3.1.0. Database Query for the *Iris Wash* and *Iris* California, USGS 7.5-minute quadrangles. Wildlife and Habitat Data Analysis Branch. Version dated August 12, 2015.

California Department of Toxic Substances Control (DTSC). 2015. Envirostor, Hazardous Waste and Substances Site List. www.envirostor.dtsc.ca.gov/public/. Accessed 9/21/2015.

California Herps. 2015. California Herps: A Guide to Amphibians and Reptiles of California. Flat-tailed Horned Lizard. Dot locality range map. Version dated 2002.

California Military Department. 2015. The California State Military Museum. www.militarymuseum.org/. Accessed August 11, 2015.

California Native Plant Society (CNPS). 2015. Inventory of Rare and Endangered Plants (online edition, v8-02). California Native Plant Society. Sacramento, CA. www.cnps.org/inventory. Accessed August 12, 2015.

Census Reporter. 2014. Imperial County Profile Data. http://censusreporter.org/profiles/05000US06025-imperial-county-ca/. Accessed September 29, 2015.

Dibble, T. W. Jr. 1954. Geology of the Imperial Valley region, California. Jahns, R.G. (ed) Geology of Southern California, California Division of Mines and Geology, Bulletin 170:21-28.

Imperial County Air Pollution Control District. 2015. Air Pollution Rules and Regulations. www.co.imperial.ca.us/AirPollution/Forms%20&%20Documents/RULEBOOK/RULES/1RULE115.pdf. Accessed: September 24, 2015.

Imperial County Planning and Development Services. 1993. General Plan Environmental Impact Report. http://icpds.com/. Accessed: September 27, 2015.

Imperial County Planning Department. 1994. Niland Urban Area Plan. Report on file at the South Coastal Information Center, San Diego, CA, under IMP-511.

Imperial County, 2013. Multi-Jurisdictional Hazard Mitigation Plan Update. www.co.imperial.ca.us/announcements%5CPDFs%5CImperialCountyMHMPUpdate2013_121913.pdf. Accessed September 25, 2015.

Jennings, C.W. 1967. *Geologic map of California: Salton Sea sheet*: California Division of Mines and Geology. Scale 1:250,000.

Marine Corps Chevron. 1946. "Corps Will Quite Camp Dunlap." Vol. IV, No. 52. 12 January. San Diego, CA.

Morton, Paul K. 1977. Geology and Mineral Resources of Imperial County, California. County Report 7. California Division of Mines and Geology, 1416 Ninth Street, Room 1341, Sacramento, CA 95014.

National Park Service. 2013. Juan Bautista de Anza: Comprehensive Management and Use Plan/Final Environmental Impact Statement. U.S. Department of the Interior, National Park Service.

Office of Historic Preservation (OHP). 1997. Technical Assistance Series #6, California Register and National Register : A Comparison (for purposes of determining eligibility for the California Register. http://ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf. Accessed August 15, 2015.

Schaefer, Jerry and Don Laylander. 2007. The Colorado Desert: Ancient Adaptations to Wetlands and Wastelands. In California Prehistory: Colonization, Culture, and Complexity, edited by Terry L. Jones and Kathryn A. Klar, pp. 247-257. Altamira Press, Lanham, MD.

Schaefer, Jerry, Sinead Ni Ghabhlain and Mark Becker. 2003. A Class III Cultural Resource Inventory and Evaluation For the Coachella Canal Lining Project: Prehistoric and Historic Sites Along the Northeastern Shore of Ancient Lake Cahuilla, Imperial and Riverside Counties, California. Report on file at the South Coastal Information Center, San Diego, CA under IMP-969.

Society of Vertebrate Paleontology. 1995. *Assessment and mitigation of adverse impacts to nonrenewable paleontological resources – standard guidelines:* Society of Vertebrate Paleontology News Bulletin, vol. 163, p. 22-27.

State Water Resources Control Board (SWRCB). 2015. Geotracker Website. http://geotracker.waterboards.ca.gov/map. Accessed 9/21/2015.

U.S. Army Corps of Engineers, 2015. Formerly Used Defense Sites Program website. Regulation ER 200-3-1. www.usace.army.mil/Missions/Environmental/FormerlyUsedDefenseSites.aspx. Accessed 12/9/2015.

U.S. Department of Agriculture Soil Conservation Service, 1981. *Soil Survey of Imperial County, California, Imperial Valley Area.* Prepared by the U.S. Department of Agriculture Soil Conservation Service in cooperation with University of California Agricultural Experiment Station and Imperial Irrigation District. Issued October 1981.

U.S. Fish and Wildlife Service. 2015. Carlsbad Fish and Wildlife Office Programs website. www.fws.gov/carlsbad/GIS/CFWOGIS.html. Accessed August 10, 2015.

University of California, Santa Barbara. 2015. Colorado Desert Climate and Vegetation. www.geog.ucsb.edu/~joel/g148_f09/lecture_notes/colo_desert/colorado_desert2.html. Accessed August 10, 2015.

Waters, Michael R. 1981. Holocene Lacustrine Chronology and Archaeology of Ancient Lake Cahuilla, California. Ph.D. dissertation, Department of Geosciences, University of Arizona, Tucson, AZ.

___. 1983. Late Holocene Lacustrine Chronology and Archaeology of Ancient Lake Cahuilla, California. Quaternary Research 19:373-387.

APPENDIX A

ENVIRONMENTAL, CULTURAL, AND OTHER CLEARANCE SURVEYS

Attachments to Appendix A